

By Mr. HEDGE: Memorial of the Upper Mississippi River Improvement Association, relative to the improvement of the upper Mississippi River—to the Committee on Rivers and Harbors.

By Mr. HEPBURN: Resolutions of Farragut Ransom Post, No. 379; Lenox Post, No. 316; Abe Flick Post, No. 437; John A. Adams Post, No. 195; Shively Post, No. 421; William Dafur Post, No. 297; Frank Nolan Post, No. 208; Rice Post, No. 288; Upton Post, No. 248; Van Wert Post, No. 205; Samuel Sumner Post, No. 398; Sedgwick Post, No. 10; Henry Walton Post, No. 312; Wayne Post, No. 187; Weldon Post, No. 426; McKnight Post, No. 491; Union Post, No. 441, and Osceola Post, No. 173, Grand Army of the Republic, Department of Iowa, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HILDEBRANT: Resolution of Jonathan Casto Post, No. 342, Grand Army of the Republic, of Blanchester, Ohio, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, papers to accompany bill for the relief of E. E. Wisby—to the Committee on War Claims.

By Mr. HOGG: Petition of Grand Junction Ministerial Association, of Colorado, favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of Salida (Colo.) Board of Trade, protesting against changes in present land laws—to the Committee on the Public Lands.

Also, resolutions of Grand Army of the Republic posts No. 63, Department of Colorado and Wyoming; No. 13, of Greeley, Colo.; No. 109, of Meeker, Colo.; No. 16, of Monte Vista, Colo.; No. 31, of Colorado Springs, Colo.; No. 100 and No. 54, of Telluride, Colo., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: Resolution of General William S. Truer Post, No. 118, Grand Army of the Republic, Department of New Jersey, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HUGHES of New Jersey: Petition of the Reformed Church of Paramus, of Ridgewood, N. J., against sale of liquor in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Reformed Church of Paramus, of Ridgewood, N. J., for the passage of a bill to prevent nullification of State liquor laws—to the Committee on the Judiciary.

Also, resolution of George G. Meade Post, No. 7, Grand Army of the Republic, Department of New Jersey, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LACEY: Petition of citizens of Blakesburg, Iowa, in favor of the passage of bill H. R. 2895, for the relief of military telegraph operators—to the Committee on Invalid Pensions.

By Mr. LAFEAN: Resolution of the West Pennsylvania Synod of the Lutheran Church, in favor of the Hepburn bill (H. R. 4073)—to the Committee on the Judiciary.

By Mr. MAHONEY: Petition of C. Zeglen, relative to bullet-proof cloth—to the Committee on Military Affairs.

By Mr. MIERS of Indiana: Papers to accompany House bill to increase pension of Joseph M. Baldwin—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting increase of pension to Thomas Headdy—to the Committee on Invalid Pensions.

Also, papers to accompany House bill to increase pension of J. E. Speake—to the Committee on Invalid Pensions.

Also, papers to accompany House bill to increase pension of Sarah J. Paynter—to the Committee on Invalid Pensions.

By Mr. PALMER: Petitions of W. S. Morgan and 15 others and of the First Methodist Episcopal Church, of Derrancton, Pa., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ROBINSON of Indiana: Petition of Simon J. McCann, of Fort Wayne, Ind., in favor of bill providing for the erection of a monument to the memory of Commodore John Barry—to the Committee on the Library.

By Mr. SIMS: Resolution of the county court of Madison County, Tenn., in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. SAMUEL W. SMITH: Resolutions of G. H. Ewing Post, No. 203; Steele Brothers Post, No. 441; Dick Richardson Post, No. 147; Dewey Post, No. 60; John and Alfred Ryder Post, No. 404; J. B. McPherson Post, No. 183; Henry H. Knapp Post, No. 284; Fred Walker Post, No. 134; James Bradley Post, No. 194; Governor Crapo Post, No. 145, and Phil. McKernan Post, No. 53, Grand Army of the Republic, Department of Michigan, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of C. P. Maxan, of Waterford, Mich., against passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. STEENERSON: Papers to accompany House bill rela-

tive to the Red Lake and Pembina bands of Chippewa Indians, of Minnesota—to the Committee on Indian Affairs.

By Mr. WADE: Resolution of James Cross Post, No. 292, Grand Army of the Republic, of Millersburg, Iowa, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: Resolutions of William Lawrence Post, No. 794, of New Burnside, Ill., and James C. Lasater Post, No. 570, of Millshoals, Ill., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of citizens of Golconda, Ill., against parcels-post bill—to the Committee on the Post-Office and Post-Roads.

SENATE.

WEDNESDAY, January 27, 1904.

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BURROWS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

WALTER B. JORDAN.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting certain information relative to a contract entered into with Walter B. Jordan, of Miles City, Mont., for the delivery at various posts during the fiscal year 1901 of large quantities of provisions for the Indian service, amounting to \$1,289.51, and recommending that he be reimbursed therefor; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

PURCHASE OF INDIAN SUPPLIES.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a letter from the Commissioner of Indian Affairs relative to purchases made in open market of Indian goods and supplies in excess of \$500, and under exigencies authorized by the Secretary of the Interior during the fiscal year, 1903, etc.; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

PINE RIDGE AGENCY, S. DAK.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting papers from the files of the records of the Indian Department giving the history of the recent encounter between certain Sioux Indians of the Pine Ridge Agency, S. Dak., and the sheriff's posse from Wyoming, etc.; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (S. 9) granting an increase of pension to David E. Burbank;
A bill (S. 12) granting an increase of pension to Francis E. Chase;
A bill (S. 13) granting an increase of pension to William Clark;
A bill (S. 14) granting an increase of pension to Samuel M. Perry;

A bill (S. 99) granting an increase of pension to Joel C. Shepherd;

A bill (S. 182) granting an increase of pension to Charles F. Holt;
A bill (S. 190) granting an increase of pension to Charles H. Bell;

A bill (S. 451) granting an increase of pension to William T. Conant;

A bill (S. 452) granting an increase of pension to Albert W. Bullock;

A bill (S. 456) granting an increase of pension to Andrew J. Pierce;

A bill (S. 458) granting an increase of pension to Charles Beattie;

A bill (S. 471) granting an increase of pension to Silas Meserve;
A bill (S. 473) granting an increase of pension to Byron D. Babcock;

A bill (S. 478) granting an increase of pension to Olive J. Bailey;
A bill (S. 484) granting a pension to Nancy S. Marsh;

A bill (S. 547) granting an increase of pension to Irving W. Coombs;

A bill (S. 555) granting an increase of pension to Royal A. S. Kingsley;

A bill (S. 565) granting an increase of pension to James E. Barnard;

A bill (S. 578) granting an increase of pension to John Bulamore;
 A bill (S. 586) granting a pension to Annie H. Zall;
 A bill (S. 587) granting an increase of pension to Anson P. Williamson;
 A bill (S. 589) granting an increase of pension to George W. McMullen;
 A bill (S. 744) granting an increase of pension to Stephen Gascoigne;
 A bill (S. 745) granting a pension to John Swenson;
 A bill (S. 798) granting an increase of pension to James A. Templeton;
 A bill (S. 814) granting a pension to Mamie Thayer;
 A bill (S. 821) granting an increase of pension to W. Neil Denison;
 A bill (S. 847) granting an increase of pension to John L. Beveridge;
 A bill (S. 898) granting an increase of pension to John B. Carter;
 A bill (S. 929) granting an increase of pension to Charles Stermer;
 A bill (S. 930) granting an increase of pension to Ferdinand Wiedemann;
 A bill (S. 937) granting an increase of pension to Rudolph Siebelist;
 A bill (S. 959) granting an increase of pension to Andrew C. Ranard;
 A bill (S. 1259) granting an increase of pension to John M. Stanyan;
 A bill (S. 1334) granting an increase of pension to Amy C. Bosworth;
 A bill (S. 1335) granting an increase of pension to Calvin Daws;
 A bill (S. 1403) granting an increase of pension to William Paul;
 A bill (S. 1429) granting an increase of pension to Elizabeth C. Paquin;
 A bill (S. 1437) granting an increase of pension to Clarence E. Bullard;
 A bill (S. 1491) granting an increase of pension to James A. Hoover;
 A bill (S. 1497) granting an increase of pension to Walter F. Chase;
 A bill (S. 1498) granting an increase of pension to Winslow P. Eayrs;
 A bill (S. 1559) granting an increase of pension to Marie A. Rask;
 A bill (S. 1825) granting a pension to Josephine L. Webber;
 A bill (S. 1826) granting an increase of pension to Mary E. Cutts;
 A bill (S. 1827) granting an increase of pension to Harris A. P. Lewis;
 A bill (S. 1938) granting an increase of pension to Aldredge Patterson; and
 A joint resolution (S. R. 32) to fill vacancies in the Board of Regents of the Smithsonian Institution.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented memorials of the Turner Liedertafel Singing Society, of Hamford; of Friedrich Hecker Lodge, No. 440, of New Haven; of the Germania Singing Society, of Torrington; of the Turner Bund of Hartford, and of the Harmonia Society of Torrington, all in the State of Connecticut; of the Schuetzen Verein of San Francisco; of the Pacific Turn Bezirk, of San Francisco, and of the Arion Verein, of San Francisco, all in the State of California; of Lodge No. 596, of Denver, and Beer Drivers' Union No. 56, of Denver, in the State of Colorado; of the Freie Brüder Gemeinde, of Davenport; of the West Davenport Maennerchor, of Davenport; of the West Davenport Geselligkeits Club, of Davenport; of Hermann Lodge, No. 489, of Davenport; of the Avoca Gesang Verein, of Avoca; of the Deutscher Maennerchor, of New Hampton; of Concordia Lodge, No. 4, of Sioux City, and of the German Mutual Fire and Wind Association of Manning, all in the State of Iowa; of Herwegh Lodge, No. 565, of Chicago; of Robert Blum Lodge, No. 397, of Chicago; of Tugend Lodge, of Chicago; of the Schweizer Turn Verein, of Chicago; of Columbia Lodge, No. 178, of Chicago, and of Fortschritt Lodge, No. 579, of Chicago, all in the State of Illinois; of the Social Turn Verein, of Indianapolis, Ind.; of the German Soldiers' Aid Society, of Louisville, Ky.; of the Howard Relief Company, of Wilmington, N. C.; of the Deutsche Landwehr Verein, of Omaha, Nebr.; of the German School Society, of Manchester, N. H.; of the German Sick Benefit Society, of Lawrence; of Roslindale Lodge, No. 604, of Boston, and of Washington Lodge, of Clinton, all in the State of Massachusetts; of Humboldt Lodge, No. 4, of Minneapolis; of Germania Rebekah Lodge, No. 7, of Winona, and of St. Anthony's Turn Verein, of Minneapolis, all in the State of Minnesota; of Goethe Tent, No. 207, of Bay City; of the German Aid Society, of Port Huron, and of the Deutsche Einheits Lodge, No. 645, of Kalamazoo, all in the State of Michigan; of the German Maennerchor, of Cumberland, and of the Singing Society of Baltimore, in the State of Maryland; of the Teutonia Singing Society, of St. Louis; of the Far West Lodge, of St. Louis; of the Gesangssektion Liederkranz, of St. Louis; of the Baden

Society, of St. Joseph, and of the Germania Lodge, No. 17, of St. Louis, all in the State of Missouri; of the Charles C. Engel Quartette Club, of Trenton; of the Orpheus Singing Society, of Newark; of the Workmen's Sick and Death Benefit Fund, Branch No. 61, of Trenton; of the Schuetzen Club of Hoboken; of the Social Turn Verein, of Trenton, and of the Singing Society of Hoboken, all in the State of New Jersey; of the Maennerchor of Troy; of the Schwaben Sick Aid Society, of Utica; of the North German Society of Long Island; of the Turn Verein of Buffalo; of the Geistendorfer Club, of New York City; of the Turn Verein of Mica; of the Geistendorfer Lodge, of New York City; of the Badische Volksfest Verein, of New York City; of the William F. Grell Association, of New York City; of Guttenberg Lodge, No. 112, of Troy; of Humboldt Lodge, of Syracuse, and of the Swiss Grutli Society, of New York City, all in the State of New York; of the Turn Verein of Cleveland; of the Turn Verein of Cincinnati; of Steuben Lodge, of Dayton; of the Liederkranz of Cleveland; of Teutonia Lodge, No. 21, of Dayton; of the Allemania Verein, of Cleveland; of Harmonie Lodge, No. 117, of Dayton; of Hermann Encampment, No. 66, of Cincinnati; of the Harugari Singing Society, of Dayton; of the Turn Verein of Akron; of the Liederkranz Singing Society, of East Liverpool; of the Workmen's Sick and Death Benefit Fund of Dayton; of the Deutscher Schumacher Verein, of Cincinnati, and of the Liberal Bayerischen Verein, of Cincinnati, all in the State of Ohio; of the Deutsche Gesellschaft of Providence, R. I.; of Concordia Lodge, No. 2035, of Austin; of the Shooting Company of San Antonio; of the Deutsche Sterbe Kasse, of Austin; of Wilhelm Tell Lodge, No. 175, of Gonzales, and of the Frohsinn Maennerchor Singing Society, of San Antonio, all in the State of Texas; of the Singing Society of Salt Lake City, Utah; of Lodge No. 2, of Seattle; of the German Club of Seattle, all in the State of Washington; of Lodge No. 803, of Milwaukee; of the Apollo Male Choir, of Milwaukee; of the Gesang Verein of Milwaukee; of the Orpheus Club, of Milwaukee; of the Syra Male Choir, of Milwaukee; of the Euterpe Men's Choir, of Milwaukee; of the South Side Gymnastic Association, of Milwaukee, and of the Incorporated German Society, of Marinette, all in the State of Wisconsin; of the German Beneficial Society, of Pittsfield; of the Danish Society of Philadelphia; of the East Pittsburg Turn Verein, of East Pittsburg; of the Upholsterers' Relief Association, of Philadelphia; of German Beneficial Union No. 2, of Pittsburg; of German Beneficial Union No. 18, of McKeesport; of the Turn Verein of Pittsburg; of German Beneficial Union No. 45, of Altoona; of the Schiller Turn Verein, of Pittsburg; of the German Military Society, of South Pittsburg; of the Schwaben Relief Society, of Allegheny County; of the German Beneficial Union of North Braddock; of Lodge No. 464, of Homestead; of District No. 46, of Homestead, and of the Baker Arbeiter Verein, of Philadelphia, all in the State of Pennsylvania, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. BURROWS presented a petition of the Young People's Society of Christian Endeavor of the Jefferson Avenue Presbyterian Church, of Detroit, Mich., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. FOSTER of Washington presented a memorial of the Washington State Grange, Patrons of Husbandry, of La Center, Wash., remonstrating against the passage of the so-called ship-subsidy bill; which was referred to the Committee on Commerce.

He also presented the petition of Mrs. Ella Higginson, of Whatcom, Wash., praying for the enactment of legislation permitting the manuscripts of authors to be carried at third-class mail rates; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Washington State Grange, Patrons of Husbandry, of La Center, Wash., praying that an appropriation be made for the construction of State and county roads; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the congregation of the Central Methodist Episcopal Church, of Tacoma, Wash., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the Chamber of Commerce of Everett, Wash., praying that an appropriation be made in aid of the Indian school at Tulalip Indian Reservation, in that State; which was referred to the Committee on Indian Affairs.

Mr. GAMBLE presented the petition of Norman A. Nelsen, of Yankton County, S. Dak., praying for the establishment of a post-check currency; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of Local Union No. 153, Cigar Makers International Union, of Sioux Falls, S. Dak., remonstrating against any change being made in the duty on tobacco imported from Cuba; which was referred to the Committee on Finance.

Mr. CULLOM presented petitions of Williams Post, No. 25, of Watseka; of Phil Sheridan Post, No. 615, of Oak Park; of T. B. Lee Post, No. 692, of Orchardville; of Washington Post, No. 573, of Chicago; of Dick Gilmer Post, No. 515, of Pittsfield, and of Farragut Post, No. 602, of Chicago, all of the Department of Illinois, Grand Army of the Republic, in the State of Illinois, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. CULBERSON presented a telegram in the nature of a petition from the Ministerial Association of Galveston, Tex., praying for the enactment of legislation providing for the closing on Sunday of the Lewis and Clark Centennial Exposition; which was referred to the Select Committee on Industrial Expositions.

Mr. CLAY. I present a petition from the mayor and general council of the city of Atlanta, Ga., relative to the construction of an interoceanic canal across the Isthmus of Panama. The petition is short, and I ask that it may be read and referred to the Committee on Interoceanic Canals.

There being no objection, the petition was read, and referred to the Committee on Interoceanic Canals, as follows:

Whereas for many years the people of our entire country have been greatly interested in the building of an interocean canal across the Isthmus of Panama; and

Whereas the Government of the United States has been unable to negotiate a treaty with the Government of Colombia for the building of such canal; and

Whereas the State of Panama has recently seceded from the Colombian Government and has established an independent government under the name of the Republic of Panama; which independent government is an accomplished fact, and has been recognized by the United States and many other nations; and

Whereas there is now pending before the United States Senate for ratification a treaty negotiated with said newly established Republic, the ratification of which would enable the United States Government to speedily commence the building of said canal:

Resolved by the mayor and general council of the city of Atlanta:

1. That we believe the building of said canal by our Government is one of the greatest needs of the age, that it will be of vast importance to the commerce of the world, and will do much to strengthen the position of the United States Government as one of the great nations of the earth, and will be of great benefit to the city of Atlanta, the State of Georgia, and the entire South.

2. That we respectfully but earnestly urge the Hon. A. O. BACON and the Hon. A. S. CLAY, members of the United States Senate from Georgia, to do all in their power to speedily reconcile the differences existing in the Senate relative to said treaty, and that we respectfully but earnestly urge each of them to vote for the ratification of said treaty when it comes to a vote in the United States Senate.

3. That a copy of these resolutions under the seal of the city be mailed to each of said Senators by the clerk of this council.

GEORGIA, FULTON COUNTY, City of Atlanta:

I, W. J. CAMPBELL, clerk of council of the city of Atlanta, do certify that the foregoing is a true copy of a resolution adopted by the general council on January 20, 1904, and approved by the mayor of said city on January 22, 1904.

In testimony whereof witness my signature and seal of office this January 25, 1904.

[SEAL.]

W. J. CAMPBELL, Clerk of Council.

Mr. BARD presented a petition of the Manufacturers and Producers' Association of California, praying for the adoption of the metric system of weights and measures; which was referred to the Select Committee on Standard Weights and Measures.

He also presented a petition of the board of trustees of Alameda, Cal., praying that an appropriation be made for the improvement of Oakland Harbor, in that State; which was referred to the Committee on Commerce.

He also presented a petition of the Manufacturers and Producers' Association of California, praying for a revival of the American merchant marine; which was referred to the Committee on Commerce.

Mr. PENROSE presented a petition of the Board of Trade of Philadelphia, Pa., praying for the enactment of legislation approving the proposition for an Anglo-American treaty of arbitration and conciliation for the settlement of all questions between the United States and Great Britain; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Universal Peace Union of Philadelphia, Pa., praying for the enactment of legislation authorizing the President of the United States to invite the governments of the world to join in establishing a regular international congress; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Board of Trade of Philadelphia, Pa., praying for the enactment of legislation providing for the upbuilding of the American merchant marine; which was referred to the Committee on Commerce.

Mr. HALE presented a petition of the Central Labor Union of Portland, Me., praying for the enactment of legislation to modify the present immigration law so that it shall apply only to such persons as believe in and advocate violence; which was referred to the Committee on Immigration.

He also presented a petition of the president and faculty of the University of Maine, Orono, Me., praying for the enactment of legislation converting the big-tree groves into national parks; which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. SIMMONS presented petitions of the Rehoboth Woman's Christian Temperance Union of Skimmersville; of the Rehoboth Woman's Christian Temperance Union of Creswell; of the Woman's Christian Temperance Union of Elizabeth City; of the congregation of the Methodist Episcopal Church South, of Summerfield; of sundry citizens of Winston, and of the Woman's Christian Temperance Union of Belvidere, all in the State of North Carolina, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. KEAN presented a petition of General William S. Truex Post, No. 118, Department of New Jersey, Grand Army of the Republic, in the State of New Jersey, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the congregation of the Presbyterian Church of Laurel Springs, N. J., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the congregation of the Reformed Church of Paramus, of Ridgewood, N. J., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Military Affairs.

He also presented a petition of the congregation of the Reformed Church of Paramus, of Ridgewood, N. J., praying for the enactment of legislation to prevent nullification of State liquor laws and no-license ordinances by so-called "original packages" and other "interstate-commerce" tricks; which was referred to the Committee on the Judiciary.

Mr. SPOONER presented petitions of the Woman's Missionary Society of the Presbyterian Church of Racine; of the Coterie Club, of Darlington; of sundry citizens of Barrow, and of the Young Woman's Christian Association of Platteville, all in the State of Wisconsin, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of J. B. McPherson Post, No. 27, Department of Wisconsin, Grand Army of the Republic, of Lake Geneva, Wis., and a petition of George D. Eggleston Post, No. 133, Department of Wisconsin, Grand Army of the Republic, of Appleton, Wis., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. LONG (for Mr. BURTON) presented a memorial of the Grain Dealers' Association of Topeka, Kans., remonstrating against the enactment of legislation providing for the inspection of grain by the National Government at terminal markets; which was referred to the Committee on Agriculture and Forestry.

He also (for Mr. BURTON) presented a petition of Local Council No. 76, United Commercial Travelers, of Leavenworth, Kans., praying for the adoption of an amendment to section 64 of the present bankruptcy law; which was referred to the Committee on the Judiciary.

He also (for Mr. BURTON) presented a petition of Farragut Post, No. 602, Department of Illinois, Grand Army of the Republic, of Chicago, Ill., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also (for Mr. BURTON) presented a petition of the Woman's Christian Temperance Union of Kansas City, Kans., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. PATTERSON presented a petition of the congregation of the Capitol Hill Baptist Church, of Denver, Colo., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings and grounds; which was referred to the Committee on Military Affairs.

He also presented a petition of the Christian Citizenship Union of Denver, Colo., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the Mesa Woman's Christian Temperance Union, of Pueblo, Colo., and a petition of sundry citizens of Philadelphia, Pa., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of Butler Post, No. 91; of Post No.

18; of Post No. 54, and of Post No. 85, all of the Department of Colorado and Wyoming, Grand Army of the Republic, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. McLAURIN presented sundry papers to accompany the bill (S. 1195) for the relief of the estate of A. W. McAllister, deceased; which were referred to the Committee on Claims.

He also presented sundry papers to accompany the bill (S. 3187) for the relief of the heirs of William Hunt, deceased; which were referred to the Committee on Claims.

REPORTS OF COMMITTEES.

Mr. LODGE, from the Committee on Foreign Relations, to whom was referred the amendment submitted by himself on the 25th instant, proposing to appropriate \$10,000 for inspection of consulates, intended to be proposed to the urgent deficiency appropriation bill, reported favorably thereon and moved that it be printed, and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

Mr. CULLOM, from the Committee on Foreign Relations, to whom was referred the message from the President of the United States transmitting a report from the Acting Secretary of State relating to the claim of Messrs. Sivewright, Bacon & Co., of Manchester, England, British subjects, for compensation for damages sustained by their vessel, the British steamship *Eastry*, in consequence of collisions in June, 1901, at Manila, with certain coal hulks belonging to the United States, asked to be discharged from its further consideration, and that it be referred to the Committee on the Philippines; which was agreed to.

He also, from the same committee, to whom was referred the amendment submitted by Mr. SCOTT on the 25th instant, proposing to change the grade of the consulate at Buenos Ayres, Argentine Republic, from Class IV, Schedule B, at \$2,500 a year, to the grade of consulate-general, at \$3,500 a year, intended to be proposed to the diplomatic and consular appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the same committee, to whom was referred the amendment submitted by Mr. NELSON on the 25th instant, proposing to increase the salary of the consul-general at Rotterdam, Netherlands, from \$2,500 to \$3,000, intended to be proposed to the diplomatic and consular appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the same committee, to whom was referred the amendment submitted by Mr. NELSON on the 20th instant, proposing to change the grade of the consulate at Odessa, Russia, from Class IV, Schedule B, to Class III, of the same schedule, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the same committee, reported an amendment proposing to appropriate \$40,000 for the erection of new buildings for legation purposes at Seoul, Korea, intended to be proposed to the diplomatic and consular appropriation bill, and moved that it be printed, and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

Mr. WARREN, from the Committee on Claims, to whom was referred the bill (S. 677) for the relief of the legal representatives of A. G. Boone, reported it without amendment, and submitted a report thereon.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 1779) for the relief of Caroline Murtagh, widow of the late William J. Murtagh, formerly proprietor of the National Republican, of Washington, D. C., reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 178) for the relief of Jewett W. Adams, reported it without amendment, and submitted a report thereon.

Mr. TALIAFERRO, from the Committee on Claims, to whom was referred the bill (S. 1941) for the relief of W. R. Austin & Co., reported it with an amendment, and submitted a report thereon.

Mr. BARD, from the Committee on Public Lands, to whom was referred the bill (S. 2223) providing a means of acquiring title to two groves of *Sequoia gigantea*, in the State of California, with a view to making national parks thereof, reported it with an amendment, and submitted a report thereon.

Mr. GAMBLE, from the Committee on Public Lands, to whom was referred the bill (S. 579) to regulate the use by the public of reservoir sites located upon the public lands of the United States, reported it without amendment, and submitted a report thereon.

Mr. CLAPP, from the Committee on Education and Labor, to whom was referred the bill (S. 3479) making provision for conveying in fee certain public grounds in the city of St. Augustine, Fla., for school purposes, reported it with an amendment, and submitted a report thereon.

He also, from the Committee on Claims, to whom was referred

the amendment submitted by Mr. NELSON on the 20th instant, proposing to appropriate \$4,926.67 for compensation to the owners of the Norwegian steamship *Nicaragua* for damage to said owners by reason of the rescue of an American citizen, John McCafferty, and the consequent quarantine of said ship at Mobile, Ala., in 1894, intended to be proposed to the general deficiency appropriation bill, submitted a favorable report thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. MARTIN, from the Committee on Claims, to whom was referred the bill (S. 483) for the relief of the owners and officers of the brig *Olive Frances*, and others on board said brig, reported it without amendment.

PROTECTION OF FUR-SEAL HERD OF ALASKA.

Mr. FORAKER, from the Committee on Foreign Relations, to whom was referred the resolution submitted by Mr. DILLINGHAM November 20, 1903, and referred to that committee, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Whereas the concurrent regulations ordered by the tribunal of arbitration and published August 16, 1893, for the protection and preservation of the fur-seal herd of Alaska, under authority of the treaty of Washington, February 29, 1892, have been found after ten years of faithful enforcement and trial wholly insufficient to serve the purpose for which they were created; and

Whereas this failure of these concurrent regulations, if not corrected at once, will result in the immediate and complete extermination of the fur-seal species in Alaska: Therefore, be it

Resolved, That it is the sense of the Senate of the United States that the Government of Great Britain be requested by the Secretary of State to unite with the Government of the United States, without undue delay, in a revision and amendment of the concurrent regulations now in force for the protection and preservation of the fur seals of Alaska, duly established and known as the award of the tribunal of arbitration at Paris, August 16, 1893; and be it further

Resolved, That this request of our Government for the revision of said regulations shall be made at once, so that the British Government shall have a reasonable length of time in which to consider the same before the next pelagic-sealing season opens in February, 1904.

UTAH SENATORIAL INVESTIGATION.

Mr. KEAN. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution reported on the 25th instant by the Senator from Michigan [Mr. BURROWS] from the Committee on Privileges and Elections, to report it with an amendment, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution.

The amendment of the committee was, in line 6, after the word "Senate," to strike out the words "and during the recess of Congress;" so as to make the resolution read:

Resolved, That the Committee on Privileges and Elections of the Senate, or any subcommittee thereof, be authorized and directed to investigate the right and title of REED SMOOT to a seat in the Senate as Senator from the State of Utah; and said committee, or any subcommittee thereof, is authorized to sit during the sessions of the Senate, to employ a stenographer, to send for persons and papers, and to administer oaths; and that the expense of the inquiry shall be paid from the contingent fund of the Senate upon vouchers to be approved by the chairman of the committee.

The amendment was agreed to.

The resolution as amended was agreed to.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Mr. TALIAFERRO introduced a bill (S. 3869) for the extension of Albemarle street; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 3870) granting a pension to George W. Lewton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MORGAN introduced a bill (S. 3871) for the relief of the estate of David Crowell, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3872) granting an increase of pension to Narcissa Tait; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McLAURIN introduced a bill (S. 3873) granting a pension to C. R. Beardslee, alias Charles P. Barclay; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SIMMONS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

- A bill (S. 3874) for the relief of Calvin J. Cowles;
- A bill (S. 3875) for the relief of Sidney Maxwell;
- A bill (S. 3876) for the relief of Thomas Monteith; and
- A bill (S. 3877) for the relief of Sylvester Dibble.

Mr. SIMMONS introduced a bill (S. 3878) granting an increase of pension to George Coffee; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3879) granting an increase of pension to C. Q. Lemmond; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ALGER introduced a bill (S. 3880) granting an increase of pension to Michael Sheehy; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3881) granting an increase of pension to James B. Judson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MILLARD introduced a bill (S. 3882) granting an increase of pension to Armour W. Patterson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SCOTT introduced a bill (S. 3883) for the construction of a conduit for the waters of Rock Creek, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PENROSE introduced a bill (S. 3884) granting an increase of pension to Thomas J. Young; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3885) granting a pension to Robert J. Campbell; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PATTERSON (by request) introduced a bill (S. 3886) to establish a national military park at Fort Reno, D. C., and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3887) granting an increase of pension to Charles J. Clark; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3888) granting an increase of pension to George W. Neely; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MCCREARY introduced a bill (S. 3889) for the relief of the heirs of William L. Waddy, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3890) granting an increase of pension to J. N. Culton; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 3891) for the relief of Georgie A. Williams; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. HALE introduced a bill (S. 3892) to authorize the President to appoint Gen. A. S. Daggett to the grade of major-general in the United States Army on the retired list; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3893) granting an increase of pension to John L. Rogers; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BATE (by request) introduced a bill (S. 3894) granting a pension to W. H. Fitzgerald; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 3895) granting a pension to W. E. Sharp; which was read twice by its title, and referred to the Committee on Pensions.

Mr. LONG (for Mr. BURTON) introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3896) granting an increase of pension to R. F. Nugent;

A bill (S. 3897) granting an increase of pension to G. H. Adams (with accompanying papers);

A bill (S. 3898) granting an increase of pension to Noah C. Standiford;

A bill (S. 3899) granting an increase of pension to Michael McKenzie;

A bill (S. 3900) granting an increase of pension to P. P. Brady; and

A bill (S. 3901) granting pensions to officers and enlisted men of the Eighteenth Battalion and Nineteenth Regiment Kansas Volunteer Cavalry who served thirty days or more in the Sioux Indian war in 1867, 1868, and 1869, and for other purposes.

Mr. BALL introduced a bill (S. 3902) granting a pension to George F. Smith; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FULTON introduced a bill (S. 3903) for the relief of the Lower band of Chinook Indians of the State of Washington and the Kathlamet band of Chinook Indians of the State of Oregon; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. MARTIN introduced a bill (S. 3904) for the relief of Walter H. Taylor, administrator of Richard Taylor, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. PROCTOR introduced a joint resolution (S. R. 34) authorizing the Secretary of War to receive for instruction at the Military Academy at West Point Alfonso Zelaya, of Nicaragua; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FRYE introduced a joint resolution (S. R. 35) to incorpo-

rate the American National Institute (Prix de Paris) at Paris, France; which was read twice by its title, and, with the accompanying papers, which were ordered to be printed, referred to the Committee on Foreign Relations.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. PENROSE submitted an amendment proposing to amend section 3857 of the Revised Statutes of the United States, relating to the designation of post-offices at the intersection of mail routes and termini of rural free-delivery routes as distributing or separating offices, intended to be proposed by him to the post-office appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Post-Offices and Post-Roads.

Mr. MITCHELL submitted an amendment proposing to appropriate \$1,700 to pay Charles Smith, late deputy collector of customs at Circle City, Alaska, compensation as such from October 1, 1898, to March 31, 1899, and for traveling expenses incurred during said period, intended to be proposed by him to the urgent deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

CORRESPONDENCE RELATIVE TO PANAMA TREATY.

Mr. MORGAN submitted the following resolution, which was read:

Resolved, That the Secretary of State is directed to send to the Senate a copy of a dispatch or letter, dated January 22, 1904, relating to the withdrawal or abandonment of all amendments to the Hay-Varilla treaty, which was sent by the minister of the United States at Panama to John Hay, Secretary of State, in which the reasons for withdrawing the same are stated by Mr. Buchanan, minister to Panama.

The PRESIDENT pro tempore. Does the Senator from Alabama desire action upon the resolution?

Mr. MORGAN. I prefer that the resolution should be printed and lie over until to-morrow.

The PRESIDENT pro tempore. The resolution will be printed and go over.

HYGIENIC CONDITIONS, ETC., ON ISTHMUS OF PANAMA.

Mr. MORGAN submitted the following resolution, which was read:

Resolved, That the following official documents, and the hearings before the Committee on Inter-oceanic Canals in 1902, and the statements of Merrill A. Teague, special correspondent of the Montgomery Advertiser, herein set forth, are referred to the Committee on Public Health and National Quarantine, with the instructions that said committee inquire into the verity of said statements as to the hygienic conditions of the region between Colon and the city of Panama and in said cities, especially with reference to the regulation and control of labor on the canal proposed to be constructed across the Isthmus of Panama by the United States, namely:

The following extract from the report of the Isthmian Canal Commission of the 16th of November, 1901, on pages 170 and 171 thereof:

"The climate of the isthmian canal regions is generally damp and enervating. The temperature is not extreme, rarely rising as high as 95° or falling below 70°, but the excessive humidity greatly restricts the capacity for physical exertion. The lowlands near the coast have long been known as insalubrious, and the seaports are subject to fevers. Perhaps the greatest difficulty to be encountered in the construction of the canal will be the procurement of an adequate force of laborers and the preservation of their health and efficiency.

"In this respect the Panama route has a lugubrious history from which the Nicaragua route is free. The notorious mortality which attended the construction of the Panama Railroad and later the operation of the Panama Canal Company has taught a lesson which will not soon be forgotten for that route. Among the white employees of this Commission sent to Nicaragua there were fewer cases of sickness than there would probably have been among the same number of men employed in some parts of the United States. Among those sent to Panama the proportion of sickness was greater.

"On the Nicaragua line during the operations of the Maritime Canal Company the health of the force was reported to be good. These operations, however, were of a preliminary character, employing but a limited number of men. It is probable that when ten or twenty thousand men are assembled and the rank soil is being turned up over a widely developed line of works the experience will be different.

"There are some slight differences of climate. In Nicaragua the trade winds are more regular than at Panama, tempering the heat and removing miasma more effectively; but, on the other hand, the rainfall is greater at Nicaragua, at least for the east side, and the resulting humidity is greater. Both are covered with the rank vegetation peculiar to the Tropics, and swamps abound in both. The lessons taught at Panama should be heeded for Nicaragua also.

"It is stated by Mr. Bunau-Varilla, at one time chief engineer of the old Panama Canal Company, that out of 100 individuals sent to the Isthmus not more than 20, as an average, could remain there, and even these lost a part of their value. The negro alone could perform manual labor; the white man must supervise and direct. After costly and fatal experiments with other races the company ceased sending to the Isthmus as laborers any but native Colombians and negroes from the British Antilles, particularly Jamaica. The Panama Railroad Company grants to its white employees from the United States two months' leave of absence each year, with transportation to their homes.

"Careful selection, including physical examination, of persons sent to the Isthmus, a well-organized hospital service, an efficient sanitary supervision of camps and barracks, a rigid quarantine service, a liberal water supply and sewerage system, with the authority and the police force necessary to enforce the rules, and regular leaves of absence to white employees, are among the requirements for a successful prosecution of the work, and will probably be found necessary at either place."

And the following extract from Senate Document No. 48, being a part of the report of Consul-General Gudgeon to the Department of State, and incorporated in a report to Surgeon-General Lyman, dated November 23, 1903:

PANAMA.

Deaths in the city of Panama during the years 1901, 1902, and 1903.

Consul-General Gudger reports, November 23, to the Department of State as follows:

In obedience to a verbal request made by Surgeon-General Wyman, of the United States Public Health and Marine-Hospital Service, while I was in Washington City a few weeks ago, I have the honor to transmit through the Department for him a report of the deaths and the diseases causing same in the city of Panama for the years 1901, 1902, and 1903.

[Inclosure.]

Synopsis of deaths occurring in the city of Panama during the years 1901 to 1903.

Disease.	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	Total.
Deaths during the year 1901.....	81	48	64	72	70	95	108	119	125	115	150	153	1,201
Yellow fever.....	4	1	2	2	1	1	1	1	1	1	1	1	11
Smallpox.....	1	1	1	1	1	1	1	1	1	1	1	1	12
Typhoid fever.....	9	7	8	6	6	6	7	12	18	15	12	14	121
Tuberculosis.....	13	8	6	6	6	9	12	9	11	14	17	14	120
Beriberi.....	2	3	1	2	2	1	1	1	4	6	5	10	36
Dysentery.....	10	2	2	5	5	4	13	7	8	2	7	10	75
Deaths during the year 1902.....	138	127	136	126	133	232	281	202	215	302	240	247	2,379
Yellow fever.....	4	4	2	4	2	14	33	23	14	38	30	19	182
Smallpox.....	40	43	46	20	17	3	4	2	1	1	1	1	176
Typhoid fever.....	7	8	9	5	6	10	15	10	12	20	12	4	118
Tuberculosis.....	5	18	10	12	14	12	16	15	15	15	10	15	154
Beriberi.....	2	2	1	5	1	3	1	2	2	14	11	8	52
Dysentery.....	9	3	9	15	29	47	49	31	37	26	13	22	290
Deaths during the year 1903.....	201	123	118	62	94	98	107	117	99	125	.....	.....	1,144
Yellow fever.....	10	7	5	1	3	3	4	11	3	1	.....	.....	48
Tuberculosis.....	1	.....	.....	1	3	.....	.....	1	1	.....	.....	.....	7
Beriberi.....	4	4	3	2	.....	5	3	4	3	3	.....	.....	31
Dysentery.....	20	16	8	4	11	8	10	11	12	10	.....	.....	110
	3	1	5	1	2	.....	4	4	6	19	.....	.....	45
	12	13	11	3	11	8	7	6	2	3	.....	.....	76

It will be remembered that during the period comprised in this report there has been in progress an internal war. The soldiers, many in number, sent from higher altitudes have died. This has greatly swelled the death rate.

Extract from the report of health officers to the Bureau of Marine-Hospital Service in June, 1901:

PANAMA.

"The city of Panama, a town of 15,000 inhabitants, is situated upon an elevated point of land jutting into Panama Bay. The town is irregularly laid out, with narrow, crooked streets, cobblestoned, and filthy. The houses are Spanish in architecture in the least bad part of the city, and the rest of the town is made up of wooden shacks in all stages of decay. There are two small sewers in the place, but they are connected with only a few of the best houses. There is an insufficient water supply of inferior water, piped in from a river some distance back in the country.

"The population is a cosmopolitan set, the leavings of the old canal construction. Sixty per cent being Jamaica negroes accounts for most of the filth in the town.

"The harbor is situated at the head of the bay, about 2 miles from the town, and is protected by several small islands. The sanitary condition of the anchorage is naturally perfect, being swept by a 16-foot tide daily. The island nearest the shipping is inhabited by the employees of the steamship companies—laborers, stevedores, and coal passers.

"There is constant communication between this island and Panama, and daily intercourse with the shipping. Yellow fever is endemic in Panama, sporadic cases occurring at intervals, and becoming epidemic whenever there is an immigration of nonimmunes during favorable atmospheric conditions.

"Panama is the point of distribution and collection of all passengers and freight of the Pacific coast destined across the Isthmus. It is the key to the quarantine situation of the west coast, and if it was not a focus of infection itself many epidemics on the Atlantic side could be averted by proper quarantine regulations.

"The houses of Panama are so constructed and of such material and so filthy that a general conflagration would be the only safe means of disinfection. I can not conceive of any other means by which the infection could be eradicated.

COLON.

"Colon, the northern terminus of the Panama Railroad, is built in a swamp on made ground, and is populated by 3,000 people, 70 per cent being Jamaica and other kinds of negroes. The property of the railroad and canal company is drained and sewerage is situated on the water front. Everything about the company's property looks clean and well kept, but the rest of the town is not so clean nor well kept.

"The houses are of wood and generally dirty. There are no sanitary arrangements of any kind, and the population is crowded into small rooms, as only Jamaica negroes can live.

"The streets are in fair condition, macadamized, and are on a higher plane than the adjoining lots. In the wet seasons pools are formed under the houses, and serve as breeding places for frogs, if nothing else. Rain water is collected in barrels and cisterns, and during the wet season the water supply is good and sufficient. During the dry season many of the cisterns run dry, and the water supply is hauled in from Monkey Hill in tank cars by the railroad. This supply is not good.

"No history of the sanitary condition or the mortality of Colon can be had. Some of the old inhabitants tell blood-curdling tales of the death rate during the flush days of the canal construction, but the old inhabitants will not do for statistical purposes. It was well known that the death rate was enormous, but it would be interesting to know just what it was."

And the statement of Merrill A. Teague, as follows:

"THE PROBLEM OF SECURING LABOR—COOLIES ARE OBNOXIOUS TO PANAMA'S CITIZENS AND WEST INDIANS ARE UNRELIABLE AS WORKERS.

[By Merrill A. Teague, special correspondent of the Advertiser.]

"COLON, December 29, 1903.

"If the American plans for an interoceanic canal offer no serious or forbidding engineering difficulties, there are other problems grave in character

that we shall have to solve. Foremost among these is that of applying the laws of sanitation to the Isthmus and of forcing obedience to these laws. Of that problem I have already written exhaustively. The other most serious one deals with the question of labor.

"There has been, ever since the Republic was established, a very determined agitation against the importation of Chinese coolies for the canal work. The argument is advanced that the Isthmus and the West India islands can furnish all the labor necessary. This is, of course, fatuous. It does not, however, deter the leading spirits in the Republic from very vigorously insisting upon the passage at an early date of a Chinese exclusion act. The Star and Herald, official organs of the Republic, have demanded editorially the passage of such an act, and Doctor Amador is understood to strongly favor the proposition.

"This opposition is purely selfish. There is no labor on the Isthmus that would be deprived of opportunity through the presence of Chinese; there is no society here that would be contaminated more than contamination has already been spread by the coolies. They are, however, a serious menace to merchants, large and small. The French canal company brought coolie labor in large quantities to the Isthmus. Those that survived the pestilence which raged in those days have gone into business and so developed that they now control in a large measure both retail and wholesale vending at Panama, Colon, and between these two cities. Here in Colon they almost entirely monopolize the regular local trade, and at Panama they have come to be a powerful factor. In the 47 miles across the Isthmus their command upon trade is practically complete.

"The ability of these people to live cheaply is more pronounced here than it is in any other country outside of China. The item of clothing is almost entirely eliminated from their expense accounts. Here, as in China, they conduct their little 'pigeons' in the front of the buildings they occupy as residences. Fuel, except for small charcoal fires for cooking, is never required, and an able-bodied Chinaman can feed himself on the Isthmus at the expense of a few pennies a day. In consequence they can undersell any of the other merchants on the Isthmus, especially as they import largely and directly from China.

"These advantages, with that clannishness characteristic of the yellow race, strike terror to the hearts of the Caucasian merchants. They know that millions of dollars will be disbursed here in wages, to flow later through the regular channels of trade. They are afraid that if coolies are brought here to form a majority of the wage-earners they will patronize the Chinese merchants exclusively, thereby depriving local Caucasian merchants of the riches they hope to accumulate. This fear is, of course, well founded, but what alternative offers?

WEST INDIANS POOR LABORERS.

"The Panamanians say the United States should employ native and West Indian negro labor. That sounds like a sensible proposition, but unfortunately the negative contention weighs down the affirmative. In the first place, the native labor, if such a thing can be said to exist, is absolutely worthless. The native laborer is lazy, shiftless, irresponsible, and generally of no account. Why should he toil in sun-baked or rain-flooded trenches for eight hours a day when he can live as well as he wishes to live by idling all the time, trapping his meat and going into the forest and jungle for vegetable supplies?

"That is a question the opponents of coolie labor do not answer. It is a question they can not answer, for the natives, during the score of years since the canal work was started, have answered it so effectively that none save the locally selfish longer consider the native element. Even if the natives' tendency was in the direction of good service in return for a fair wage, they could not be considered, for there are not enough of them available to constitute a small division of the immense corps of laborers that will be required to complete the canal within a reasonable time.

"As for the other plan—that of bringing West Indian negroes to the Isthmus—it is advanced without any intelligent idea as to its practicability. The stock argument used by its champions and the opponents of coolie importation is that these negroes stand the climate better than does any other class. That is true. During the period of active work by the French every class of labor known to large employers was called into service, and the West Indian negro proved more efficient and better adapted to the climate than did any other—that is, for a season. He did then, and will now, live longer on the Isthmus than will the Chinese, Malaysians, Africans, Syrians, or any other.

"For a little while he will work steadier and accomplish more than will the other classes, but his inherent shiftlessness soon overcomes him in this enervating climate, and he lapses into an idleness from which it is almost impossible to arouse him. Add to this the fact that he is naturally most immoral, courting rather than shunning the most loathsome afflictions, prone to debilitating excesses and especially fond of dedicating his nights to wild revelry and the worst carouses, and it will be seen that the temporary advantages resulting from his labor is more than offset by the harm he does himself and to society in general. The Isthmus has as many of these idle and improvident West Indians as it has any use for. To bring more would only increase the sociological problem that will sooner or later have to be solved.

NEGROES NOT PROCURABLE.

"Besides this phase of the West Indian negro problem there is that one of securing this class of laborers. The former efforts to construct this canal resulted in a heavy depopulation of the West India Islands. Should we determine to use these negroes in our attempt we could easily exhaust those islands of able-bodied men. Their champions say they can be secured in limitless quantities. That is entirely false. When we have grappled with the task of building the canal and gotten it under full swing, we shall need almost innumerable thousands of laborers.

"The most optimistic estimates are that with 20,000 men we can complete the waterway in eight years. It is more reasonable to presume that 50,000 men will have it ready to open in ten years, for if there is one thing we must avoid, if we would succeed where the French failed, it is the undue optimism which cursed the whole French effort. Should we determine to prosecute the work steadily through every twenty-four hours of the day by using electric lights at night—a thing which, by the way, engineers and sanitary experts recommend—the time required for building the canal might be reduced one-half, but the corps of laborers required would be trebled in size.

"If we estimate the number in this corps by taking the mean of the estimates given, respectively, by the optimistic and the pessimistic, we shall probably hit about the figure fact will demonstrate as necessary. This will be 35,000 men, with constant recruits to fill the vacancies left by disease and death, with the forces working an eight-hour shift a day. One hundred thousand will be the number if the working day is divided into three eight-hour shifts. The West India Islands could not supply the smaller number, to say nothing of the larger.

"Only those West Indians to whom the wages offered would prove a magnet could be employed for this work; those who now earn more on their native islands than the canal contractors will pay could not be imported. Now, the standard rate of wages for ordinary manual labor on the Isthmus is \$2.20 (Colombian silver) a day. It will probably never be any higher, for should the Republic fix an arbitrary rate of exchange at two for one, as is now

proposed, this wage will be equal to \$1.10 gold a day. Certainly the contractors on the canal will not pay more than this sum.

"Persons who have studied the problem of labor supply in the West Indies from the standpoint of the wage likely to be paid say that, even if the governments of these islands interpose no objection, it will not be possible to obtain more than 15,000 men from this source. That paucity of supply would seem to settle the West Indian negro as a factor in the labor to be required by the digging the canal, and conditions may be even worse than I have given them, for since the estimate of 15,000 men was made railroad construction in South and Central America has taken many hundreds, possibly thousands, of negroes from the West Indies, especially from Jamaica.

"How really serious this question is likely to become may be gathered from the fact that even now, with hordes of negroes on the Isthmus living in idleness, the Panama Railroad steamships are frequently compelled during rush seasons to stop at Fortune Island, halfway between Colon and New York, and take aboard hundreds of negroes to augment the stevedore gangs at this terminal.

"COOLY LABOR MOST PREFERRED.

"This brings the labor problem back to the Chinese cooly, as no other class is available in numbers sufficient to meet the requirements of the undertaking. The most intelligent and best-informed students of this problem agree almost unanimously in the judgment that before we shall have progressed very far in digging the canal we shall, no matter what our first intentions, be compelled to resort to the coolies. The Panamanian advocate of Chinese exclusion retorts that if we proceed upon this line disease will balk our effort, and points defiantly to the record under the French. Then the Chinamen died in appalling numbers, even in the higher and healthier sections of the work, and the village of Matachin—dead Chinaman—on the line of the railway, midway between this city and Panama, is a monument to death's wholesale depletion of the coolies' ranks.

"But the student has his rejoinder ready. The French displayed culpable ignorance in selecting Chinese for importation. They picked up the coolies wherever those willing to come here could be found, whereas little trouble would have been experienced had they gone—as our agents will do—into the Chinese rice fields, where coolies thoroughly inured to wet climates and accustomed to working more than knee-deep in water may be found in countless and inexhaustible numbers. This class of cooly labor would, it is contended, be immune to the Isthmian's climatic terrors, and by resorting to its employment the contractors under the United States would never be confronted or impeded by a scarcity of labor.

"There are, however, other advantages to result from the employment of this class of labor, equal in their importance with that of supply. The employment of coolies will be an almost positive guaranty against any delay in completing the canal because of wage and other ephemeral labor troubles. For the wage scale which will be paid on this work the Chinese cooly will labor industriously and earnestly. He will require careful management, and possibly some driving; but he will be satisfied with his remuneration, and the chances of strikes will be reduced to the minimum. This fact is to be carefully considered, for with thousands of laborers susceptible to wage agitation and long periods of idleness due to strikes made probable, the work would not only be greatly impeded, but the expense of it enormously increased; this latter because during strike periods violence would surely occur, anarchy be introduced on the Isthmus, and the cost of properly policing the canal zone and protecting the work done multiplied. Troubles of this nature would undoubtedly occur in case the labor employed is from the ranks of the West Indian negroes, or even of the negroes from our own country, for either is naturally a turbulent element, and for its turbulence there would be no lack of encouragement on the Isthmus during the flush times of active canal work.

"THE COOLY A STEADY WORKER.

"Another thing which inclines experts to favor the employment of coolies is their general tractability. It was the experience of the French that it was almost impossible to exercise control over other classes of laborers. The cooly works steadily, regularly, contentedly, and in his hours off, while an inveterate fantan player, is little addicted to boisterous living and excessive drinking. Exactly the reverse was found to be the case with other laborers during the period of French activity. The West Indian negroes were absolutely uncontrollable. They would work in their lazy, shiftless way, requiring the services of veritable taskmasters for overseers, and then in their hours off they would indulge in the wildest orgies.

"Night after night they would devote to dissipation in all the forms common on the Isthmus, gradually weakening their system until they were wholly unable to resist the approach of fatal disease. And then there were their regular seasons of idleness, during which all work stopped. The French practice was to pay on alternate Saturdays, and the major portion of the pay roll was computed on the basis of piecework. Early on Friday afternoon before pay day these negroes would invariably quit work and, in anticipation of receiving their biweekly wages, begin drinking. On Saturdays, when the money was handed over to them, there was no work at all.

"On Monday a few who had quickly exhausted their store of cash would straggle back to work. Tuesday a few more would appear, but not until Wednesday would the work be in full swing again, the intervening days having been spent by the great majority in drunken revelry, totally unfitting them to return even on Wednesday to render full and efficient service.

"No such difficulty as this, which we should have to expect with the West Indian negroes employed, would be experienced with cooly labor. The coolies place too much value on money and are naturally too provident to deplete their earnings on account of lost time.

"LABOR MUST BE DEPORTED.

"The last argument advanced by the champions of cooly labor is one we must not overlook. An immense population will be brought to the Isthmus and maintained here during the eight or ten years that will be covered by the construction work. When that work shall have been completed it will be necessary for us to reduce the local population by removing the greater number of these laborers. With the canal in operation the railroad traffic will drop to almost nothing, and there will be scant opportunity for any body of laborers, beside the native population will be able to provide, to find employment. We must, therefore, contemplate the necessity of expatriating this labor after its usefulness has departed.

"Some of the laborers will, if West Indian negroes are employed, go into the wilderness, take up claims, and settle down to be self-supporting citizens of the Republic. Our experience with the greater number would, however, almost inevitably be the experience of the French—an experience which has crowded the line of the Isthmus with an idle, dissolute horde that contributes nothing whatever to the productivity of the country.

"Should coolies be employed we could make it a stipulation of the contracts under which they would be brought here that upon the completion of the canal the survivors should be returned to China; nor would we encounter any serious trouble or resistance from the coolies when it came to the task of deporting them. With the West Indian negroes deportation would be a practical impossibility, and the ultimate effect of their employment would be to burden the Isthmian Republic with a population of no earthly account in the long run.

"Such are the general aspects of the labor problem as it will be presented by the ratification of the canal treaty. This problem we shall have to face the moment that treaty becomes operative and our interests assume a vested nature. The advantages to result from the employment of cooly labor are as positive as are the disadvantages that would follow the engagement of any other class of workers. The patent inability of our Government to use either Caucasian or negro laborers from the States on the actual work of excavation places the cooly proposition in a light entirely different from that in which it appears when the consideration is one of Chinamen going to the States.

"Without, therefore, in any way compromising the stand it has taken on the question of excluding the Chinese from our own country, our Government should sit down very hard upon the suggestion that this new Republic pass a Chinese-exclusion act. This might as well be done now as at any time, for even if we should start out with another idea, we shall sooner or later be driven to realization of the fact that the cooly alone can solve the labor problem, as it will appear in the construction of the canal."

And that said committee will consider and report such other facts relating to this inquiry that they may ascertain and may consider important and reliable.

And, in view of the provisions of the Hay-Varilla treaty, now pending in the Senate, that said committee will report to the Senate their conclusions and recommendations as to any measure that is necessary for the proper government of the canal zone proposed to be established by said treaty, and the region adjacent thereto, and any other part of the State of Panama, in respect of the improvement and future security of the health of said canal zone, and the persons to be employed therein by the United States, or by any contractor on said canal.

And that said committee consider and report especially as to such measures as the health and sanitary conditions of said canal zone as are necessary to provide for the regulation of immigration thereto, or the temporary residence therein, of persons whose presence there or in the country adjacent thereto, and in the cities of Panama and Colon, will endanger the health of the soldiers, marines, and seamen that it may be found necessary to employ in and about said canal zone; and what powers of government will be needed and will be adequate for the regulation or protection of intemperance, gambling, and violence, or other vices in said zone, and for the compulsory removal of persons engaged in or addicted to such violations of law and morals; and as are necessary to prevent their access to such canal zone, or to any place in the Republic of Panama where our military or police forces, or the laborers on the proposed canal may be employed in connection with its construction, or in connection with the Panama Railroad.

During the reading of the foregoing resolution,

Mr. HOPKINS. Mr. President, I suggest that the subject-matter of that resolution would carry it to the Committee on Inter-oceanic Canals, but if there is any doubt about that question I should like to have the resolution lie over until the chairman of that committee is present.

Mr. MORGAN. The reading of the resolution has not been completed, Mr. President.

Mr. HOPKINS. I beg pardon of the Senator, I thought the reading had been concluded.

The Secretary resumed and concluded the reading of the resolution.

Mr. MORGAN. I ask that the resolution be printed and go over until to-morrow.

The PRESIDENT pro tempore. The resolution will be printed and go over.

REPUBLICS OF NICARAGUA AND COSTA RICA.

The PRESIDENT pro tempore. Are there further resolutions, concurrent or other? If not, the morning business is concluded, and the Chair lays before the Senate a resolution, to which he calls the attention of the Senator from Alabama [Mr. MORGAN].

The SECRETARY. Senate concurrent resolution No. 82, submitted by Mr. MORGAN January 11, 1904, declaring it to be the duty of the United States to open negotiations with the Governments of Nicaragua and Costa Rica as required under the act of June 28, 1902, providing for the construction of an interoceanic canal.

Mr. MORGAN. That resolution, Mr. President, has been substituted by one of a later date, which has been referred to the Committee on Foreign Relations. I therefore withdraw the resolution.

The PRESIDENT pro tempore. The resolution is withdrawn.

RELATIONS WITH COLOMBIA.

The PRESIDENT pro tempore. The Chair lays before the Senate the resolution submitted by the Senator from Georgia [Mr. BACON] on the 12th instant, which will be stated.

The SECRETARY. Senate resolution 82, informing the President that the Senate favor and advise the negotiation of a treaty with the Republic of Colombia to satisfactorily determine and adjust all differences between the United States and Colombia growing out of the recent revolution in Panama, etc.

Mr. BACON. Mr. President, by the courtesy of the Senate, on account of my necessary absence from the Chamber for some time past, that resolution has been permitted to lie upon the table subject, I understood, to my call. I desire to say that if my physical condition to-morrow shall permit, I will ask the leave of the Senate to address to it some remarks relative to the resolution.

The PRESIDENT pro tempore. The Senator from Georgia asks unanimous consent that the resolution lie on the table, subject to his call?

Mr. BACON. Yes, sir.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and that order is made.

CORRESPONDENCE WITH COLOMBIA.

The PRESIDENT pro tempore. The Chair lays before the Senate the resolution heretofore submitted by the Senator from Virginia [Mr. DANIEL], which will be read.

The Secretary read the resolution submitted by Mr. DANIEL on the 12th instant, as follows:

Resolved by the Senate, That the President of the United States be, and he is hereby, requested, if in his opinion consistent with the public interest, to transmit to the Senate all correspondence between the Secretary of State and the representatives of the Government of Colombia which has taken place concerning our relations with that country since the revolution of November 4 in Panama and which has not been heretofore transmitted.

Mr. SIMMONS. Mr. President, I desire to make some remarks on that resolution.

The PRESIDENT pro tempore. The Senator from North Carolina is recognized.

Mr. SIMMONS. Mr. President, it is my purpose in the remarks which I shall submit upon the pending resolutions to make a statement of the facts of this Panama situation as I see them and my conclusions drawn from those facts.

When the Fifty-seventh Congress met there was an apparently universal demand coming from all parts of the country for the construction of the canal by the Nicaraguan route. The national conventions of both parties had declared for that route. The Canal Commission had unanimously reported in its favor, and the alternative route by way of the Isthmus of Panama, on account of the exorbitant, if not impossible, price asked by the Panama Canal Company for its concessions, had, so far as the public mind and sentiment of the country were concerned, been eliminated from discussion and consideration.

In these conditions the Panama Canal Company, realizing that its only chance of selling its property on the Isthmus to this Government, its only possible purchaser, was about to be lost, reduced its demand from one hundred and nine to forty millions of dollars. Thereupon the Canal Commission was promptly reconvened and changed its recommendation from a unanimous report in favor of the Nicaragua to a unanimous report in favor of the Panama route.

As the result of this changed situation the old controversy between the two routes, which had slumbered for years, was revived and reopened, and the relative merits of the two routes again became the subject of earnest investigation and heated discussion. The discussion in this Chamber was long and exhaustive. Every phase of the question was debated. In consequence of this debate and the discussions through the press and by the people there occurred one of the most remarkable changes in public sentiment ever witnessed in this country. The Senate, following the recommendation of the Canal Commission, adopted the so-called Spooner Act, expressing its preference for the Panama route.

The House, which had already passed a bill authorizing the construction of the canal by the Nicaraguan route, reversed itself and followed the footsteps of the Senate, and the people acquiesced, as is shown by the fact that in States where the demand for the Nicaraguan route was once the strongest, notwithstanding their disapproval of the methods by which the Hay-Varilla treaty was made possible, the people are now demanding that that treaty shall be ratified.

I will not undertake to say what arguments, or reasons, or facts, in addition to the reduction by the canal company of its price, and the demonstrated feasibility of the Panama route, brought about this sudden and extraordinary change of opinion.

It may have been the fact that a canal by the Panama route may be made a sea-level canal, while a sea-level canal can never be constructed by the Nicaragua route.

It may have been the fact that it will require two nights and a whole day for a ship to pass through a canal at Nicaragua, while a ship can enter and pass out of a canal by the Panama route within the light of a single day. For the purpose of this statement and argument, suffice it to say that this change was not brought about by artifice or trickery, but that it was undoubtedly the result of a real change of opinion respecting the relative merits of these two routes.

In view, Mr. President, of these circumstances, in reaching a right conclusion as to the duties of the President under the Spooner Act, in locating the canal, the preference expressed in that act for the Panama over the Nicaragua route can not be considered as a mere perfunctory declaration by Congress or by the people. Undoubtedly the lawmakers by that declaration of preference meant more than simply to say to the President, as between the two routes, "While we somewhat prefer the Panama route, it does not matter much which you select so we get the canal, and get it quickly."

On the contrary, Mr. President, they meant to say to him, and to say it with unmistakable emphasis: "Panama is decidedly the best route. We have selected it after long and mature consideration. We therefore direct you to construct the canal by that

route, if possible to acquire title thereto within reasonable time." The circumstances antecedent to and contemporaneous with this expression of preference show that it was intended that this preference should be treated as vital, the only condition of defeasance being the failure to acquire title in reasonable time.

Manifestly, Mr. President, by "reasonable time," as used in this act, is not meant the reasonable time of the court-house. That phrase when used in litigation, in civil controversies and transactions between man and man has to do with the recurring terms of the courts and must be interpreted in the light of the universal principle of swift justice and its corollary, a speedy trial.

The phrase "reasonable time" used in connection with this great transaction, which considered in relation to the great transactions of the world to-day is easily the greatest, the consummation of which after half a century negotiation is still in the future in which all civilized mankind are profoundly interested, must be interpreted in view of the supreme importance of the subject-matter and the slowness with which nations move in matters of such high import.

So interpreted, I can not believe there was such lapse of "reasonable time" as would have made it the President's duty to turn to the alternative route designated in the statute. I think that no one will contend that the President should have abandoned hope—broken off negotiations and gone to Nicaragua—while the Colombian Congress was yet in session and in any manner whatever considering the treaty, and this did not happen, as I understand, until the latter part of October.

But, putting aside and out of consideration the fact that a call had then been issued for an early extra session of Congress, and putting aside and out of consideration the President's claim that he thought, in view of this fact, it was his duty to wait and refer the whole matter back to Congress, the President knew, as everyone knew, that Colombia really and earnestly wanted the canal; that, if anything, she was more anxious that it should be constructed across the Isthmus instead of Nicaragua than we ourselves. He knew that the secret motive of Colombia's tortuous and dilatory diplomacy toward the treaty was directed to coercing the canal company into paying her for consenting to the sale of its concessions to this Government. He knew that the property of that company would become utterly worthless if the canal went elsewhere, and in these circumstances he might reasonably have concluded that mutual interest in the spoils would bring these traffickers together, and that either Colombia, with the canal and ten millions at stake, would abate her demand against the canal company or the canal company, rather than lose its only possible purchaser, would yield to the demands of Colombia, and that in this manner and within "reasonable time" the way might be made clear to give effect to the preference expressed in the Spooner law for the isthmian route.

But, Mr. President, let me return to the recital of the facts of the case.

Some time during the month of March, 1903, the President presented to the Senate a convention known as the Hay-Herran treaty, duly signed by the accredited representatives of this Government and Colombia, granting to the United States, on certain conditions and terms not inconsistent with the Spooner law, an easement to build a canal across the Isthmus. That convention was ratified by the Senate, although if all the Senators who voted for the Nicaraguan route had voted against it, it would have failed of the two-thirds vote necessary for ratification.

I assume that those Senators who preferred the Nicaraguan route voted to ratify the Hay-Herran treaty not because they liked it, not because its terms were satisfactory to them, for to many of them some of these terms were notoriously objectionable, but because they thought it was their duty to aid the President in carrying out the law and will of the majority as it was written in that law. This convention was rejected by Colombia and for that reason became inoperative.

The President now presents to the Senate another treaty, known as the Hay-Varilla treaty, accomplishing the same purpose as the one with Colombia, which has already been ratified by the other contracting party, and therefore only needs our ratification to make it effective. With this ratification the hostile interests both in this country and abroad which have so often circumvented our efforts to secure a canal in the past, which perhaps brought to naught our recent negotiations at Bogota; which, if they had had sufficient time and warning, might have defeated the negotiation which eventuated in the treaty now under consideration; which, should we repudiate this treaty and go to Nicaragua, might indefinitely delay and ultimately defeat our necessary negotiations with that country or Costa Rica, one or both; which sought, with sinister designs, to lure us to Nicaragua when we were about to go to Panama, and which now, should we start to Nicaragua, would with like motive seek to lure us back to Panama; which, in divers and sundry ways, through many and long years, have succeeded in

confusing and dividing our councils and bringing to naught our negotiations for the construction of this great enterprise, will have finally met irretrievable defeat, and the last obstacle in the way of the accomplishment of the long-cherished aspirations of our people for a canal connecting the two oceans will have been removed.

Shall we refuse to ratify this treaty and enter again upon the long and weary struggle, with all its vexations, difficulties, and uncertainties?

Mr. President, I do not intend to discuss the provisions of this treaty. I am prohibited from doing that in open session of the Senate, but the treaty has been ordered published and I think it is not improper for me to say, generally, in passing that in nearly every way this treaty is much more favorable to the people of the United States than the one negotiated with Colombia and which we ratified, but which failed of ratification by the Congress of that country.

I have heard of no contention nor intimation that Panama did not have the legal right to make this treaty. Some question has been made about the authority of the President, under the Spooner Act, to make it on behalf of this Government, but none has been made, and, in my judgment, none can be made, to Panama's right in the premises, for when we recognized the independence of Panama, and shortly thereafter practically all of the other great nations of the world, including Nicaragua, her competitor for the canal, joined us in that recognition, whether that recognition was rightful or wrongful, whether in accordance with international law or in contravention of it, Panama became an independent and sovereign State, with all the rights and powers which sovereignty implies, including, of course, the treaty-making power.

But, Mr. President, the opponents of this treaty, admitting that it is highly favorable to us and that Panama is a free State possessed with full right to make it, still contend that it should not be ratified—first, because, they say, the President had no right under the Spooner Act to contract with Panama for the right of way across the Isthmus, the language of that law restricting his authority to negotiations for that purpose to Colombia; secondly, because, they say, the President unlawfully and in violation of our treaty obligations with Colombia incited and promoted the revolution in Panama, and recognized her independence in violation of the principles of international law.

Mr. President, I can not agree, in view of the present ownership by Panama of the territory to be acquired, with the contentions that the Spooner law does not confer upon the President full authority to acquire the right across the Isthmus from Panama. In the construction of every legislative act the intent of the law-makers and the objects and purposes of the law furnish the rule for determining its meaning.

If it had been any part of the intention and purpose of the Spooner Act to indirectly confer a bounty upon Colombia by buying from her a "specific thing" at a greater price than its actual value, then the President undoubtedly would not have had, by virtue of the powers vested in him by this act, authority to buy that "specific thing" from another who had in the meantime succeeded to its ownership, because that would have contravened and defeated a material purpose of the law.

But it was no part of the purpose of the Spooner Act to confer a bounty upon Colombia; the sole object of that law was to authorize this Government to acquire the right of way to construct a canal across the Isthmus, and Colombia was named as the nation with which the President should negotiate for this right solely because at that time she was the owner of the territory over which we sought to acquire this right of way.

To deny to the President authority under this act to acquire this right of way from Panama, its present owner, would be to hold that the letter of the law respecting a nonessential is of more importance than its letter respecting its main object. It would be to defeat the main intention of the lawmakers, as well as the only object and purpose of the law itself. And in that event, Mr. President, who would be benefited: what object would be accomplished; what public policy would be promoted by this strained construction of that statute?

Surely we would not be benefited. Surely no policy of this country would be advanced, for we have declared our preference for the Panama route. Colombia would not be benefited, because she no longer owns the territory, and can not, therefore, cede it to us. The only effect, if this strained construction should prevail, would be to force the canal to Nicaragua, which would in turn defeat that provision of the act preferring Panama. Thus, in sticking to the letter of the law regarding a nonessential, not only the purpose, but one of the most important provisions of the law would be defeated.

If, however, the President had no authority to make this treaty under the Spooner Act, he unquestionably had that authority under his general power to negotiate treaties with foreign nations. Whether this treaty was made by the President under

his general powers or by authority of the Spooner Act is immaterial, except as it affects the question of an appropriation to satisfy its money stipulations.

President McKinley, without legislative initiative, made the treaty of Paris, whereby Spain ceded to us the Philippine Islands for \$20,000,000, and the appropriation was made afterwards. In this view it is simply a question of whether the appropriations provided in the Spooner Act would be available to satisfy the money stipulations of this treaty, and the doubt about that, if there be any, can be removed by amending that act by inserting Panama for Colombia wherever it appears.

I do not myself think there is any necessity for any amendment of that act. But to remove all possible question of doubt I had hoped that an amendment to this effect would be made before the vote on the treaty was taken, although I presume it would answer the purpose if done afterwards. I suppose such an amendment would meet with no serious opposition anywhere.

I do not think, therefore, Mr. President, that the Hay-Varilla treaty can be assailed on the ground of lack of power in the President to contract as he has contracted in this treaty with Panama. Neither do I think what the President may have done so far as present information discloses in connection with the revolution in or the recognition of Panama is sufficient reason, in law or in conscience, for the defeat of this treaty, otherwise altogether satisfactory.

I do not want nor do I intend to discuss this treaty from a partisan standpoint. The people have made the canal a nonpartisan question, and we should not drag it into politics.

On this side of the Chamber we have not made it a partisan question. We will vote on it according to our individual judgment. If it has been brought into politics at all, that has been done by the other side of this Chamber, which is solidly lined up in favor of it. Therefore the statement I am about to make I shall make in no partisan spirit, but simply as a statement of fact.

Mr. President, what has been done in Panama has been done, and it can not be undone. It was not done by the authority or under the auspices of the Democratic party, neither could that party have prevented its doing, and therefore it is in no way responsible for its doing. If what has been done in Panama can be undone at all by this Government, it can only be undone by doing a greater wrong to Panama than has already been done to Colombia. Surely in any event the defeat of this treaty will not either undo or remedy that wrong.

I am not here, Mr. President, to defend the actions of the President, either in connection with the revolution in or recognition of the independence of Panama. There is much in his conduct in these connections of which I wholly disapprove, which I regard as improvident and unwise; as rash and dangerous to the peace and welfare of this country; as contrary to the traditional policy of this Government in its dealings with other nations, especially those on this hemisphere, and as not calculated to advance us in the affections and esteem of other nations.

I do not think, however, that everything the President did in these connections was wrong. From the bottom of my heart I would be glad, for the honor of my country I would be glad, if I could reconcile all of his acts in these connections with my notions of right and law, but I can not and be honest with myself.

When the revolution was announced to the world, it seemed to me that the President, to use the expressive term of the Senator from Maine [Mr. HALE], showed too much prevision, and I will add preparation for what that prevision enabled him to see would happen in Panama. But the President has assured us in a formal message to this Senate in the most emphatic manner that he did not, consciously and intentionally, in any way, direct or indirect, incite, encourage, or promote this revolution.

The fact, Mr. President, that as long ago as last August, when the Colombian Congress had begun to show an unfriendly disposition toward the treaty, there were mutterings of secession; that later, when it became apparent that the treaty would not be ratified, there were thinly veiled threats of separation uttered upon the very floors of the Colombian Congress, which later broke out into bold, open, and defiant threats of secession, both at Panama and at Bogota; the fact that there was at Panama, long anterior to the revolt, an organized band actively engaged in the organization of the insurrection; that these conspirators had, under the pretense of organizing a fire department, organized a military force of over 400 picked men in the city of Panama and arranged for the cooperation of the Colombian general and the forces under his command stationed in that city, as well as with the commander and the marines under him of one of the two Colombian gunboats then stationed in that harbor, tends to show that in their desperation the Isthmians, acting on their own initiative, had made up their minds to seek remedy for their wrongs in revolution.

It may be—in fact, it is almost certain—the Panaman conspirators knew what course this Government would pursue in the event of insurrection in the Isthmus and that they counted on

that action to make their revolution successful. If they had such information—and, as I said, I think they did—I do not know how they obtained it, but I can see how it might have been acquired without the actual or guilty knowledge or complicity of either the President or the Secretaries of State, War, or the Navy.

Such secrets are notoriously hard to keep. The possession of this information should not, in my judgment, be accepted as contradicting or discrediting the positive statement of the President. In entire deference to the views of others on this side of the Chamber who may differ with me in this opinion, I think that the statement of the President in this respect should be accepted, and for myself I do accept it. Undoubtedly the President knew of the forthcoming revolution in Panama, and so knowing it was his duty, in view of the imminence of insurrection there, to have on the ground a sufficient force to protect the lives and property of American citizens.

This he did; and if he had done no more than this he would have done no more than his duty under the law or the treaty. But, Mr. President, that was not all that he did, or ordered to be done, if necessary to carry out the purpose of those orders. In specific terms he ordered the commanders of our naval forces, both at Colon and at Panama, to prevent the landing of troops, including the troops of Colombia, not only upon the transit and at its termini, but anywhere in the Isthmus of Panama.

I admit that under the guaranty of neutrality contained in the treaty of 1846 it was not only the right but the duty of this Government to prevent interference or hostile military operation by any foreign nation everywhere upon the Isthmus. But we did not have the right, Mr. President, in my judgment, under any rational construction of that treaty, to prevent Colombia from landing and occupying the Isthmus and its waters with its naval and military forces for the purpose of suppressing domestic disorders or subduing her refractory and rebellious subjects.

We had the right and it was our duty, under that clause of the treaty, to say to Colombia, in the event of insurrection in Panama, "You must so order and conduct your necessary military operations as not to actually interrupt or embarrass the transit across the Isthmus;" and that I believe is the extent of our right to interfere with military operations conducted by her in enforcing obedience to her laws and sovereignty. We did not have the right to say to her, "You shall not conduct hostile operations at all along the transit," for it is unreasonable to suppose that Colombia intended by that treaty, in any contingency whatever, to part with her right to maintain her sovereignty anywhere on the Isthmus.

Therefore I can not escape the conclusion that when the President directed the commanders of our naval forces to prevent the landing of troops, including Colombian troops, with hostile intentions upon any part of the Isthmus, or within 50 miles of the transit, he exceeded our rights under the treaty.

It is no answer to this position to say that the President merely gave orders to this effect, and that as a matter of fact no Colombian troops were prevented by these orders from landing on the Isthmus with the purpose of suppressing rebellion. These orders were received by the persons to whom they were sent, and undoubtedly measures were taken by them to carry them into effect in case of necessity.

The purport of these orders and the intention of the commanders of our forces at Colon and Panama with respect to them must have manifested itself and become a matter of common knowledge, both at Bogota and on the Isthmus; and the known purpose of this Government to prevent the landing of Colombian troops, in case such landing should be attempted, no doubt had the effect of overawing and preventing any attempt on the part of Colombia to take such measures as she had a right to take and would otherwise probably have taken to suppress the insurrection.

If Colombia was intimidated and deterred by these orders of the President or the known attitude of this Government in the premises from attempting to land her forces and from taking such measures as she had a right to take, the effect was the same as if she had been forcibly prevented by us from asserting her rights in this behalf. Such orders and the resulting attitude of our commanders there, whether so intended or not, was an unauthorized interference on our part with her sovereignty, if not an act of war.

I admit that the recognition of belligerency or independence is an Executive act, which has always, so far as I know, been left by us to the executive branch of the Government. And the fact that it may involve us in war with friendly nations interposes no objection to its exclusive exercise by the Chief Executive. I admit, also, that in granting recognition it has been our practice to be governed by considerations of public policy; that is, that we have made our recognitions speedy, or we have procrastinated, as the one or the other course of action has been thought by us to be conducive to our national interest.

But whether our recognition has been hasty or tardy we have, always, heretofore, regarded it as a condition precedent to recognition that there should be a government, de facto at least, reasonably capable of maintaining itself.

The President in his message seems to admit this principle of international law, but he contends that Panama, on account of our treaty rights and duties and because he conceives that in the matter of the construction of a canal connecting the two oceans we have received a mandate from collective civilization, that Panama is excepted from its application.

This is a plea in confession and avoidance which, in my judgment, can not be admitted, but which when taken in connection with the statement in the President's message to the effect that when the Colombian Congress adjourned without ratifying the treaty, and before the revolution occurred in Panama, he was considering referring the whole matter to Congress for instruction whether he should proceed to construct the canal across the Isthmus without further authority from Colombia, shows not only an excess of zeal on his part for the canal, but a painful disregard of the rights of other nations.

I am bound to say, and I have no pleasure in saying it, that the course of the President, both in connection with the revolution in Panama and the recognition of its independence, was, to say the least, hasty, rash, improvident, and dangerous to the peace and welfare of this country, and justifies the feeling of many of his political friends as well as his political opponents that he lacks that conservatism which considerations of national stability and safety make necessary and desirable in the Chief Executive of the nation.

Mr. President, it is contended and vehemently asserted by some of the opponents of this treaty that a vote for its ratification is, under the circumstances, tantamount to condoning the action of the Administration, both as to the revolution and to the recognition. If I thought that, as favorable as I regard this treaty, as deeply important to us as is the immediate construction of the canal, and as vexatious as I am sure will be the delays in the commencement of that great work if this treaty should be defeated, I do not think I could vote for it.

Mr. TILLMAN. Mr. President—

The PRESIDING OFFICER (Mr. PETTUS in the chair). Does the Senator from North Carolina yield to the Senator from South Carolina?

Mr. SIMMONS. Certainly.

Mr. TILLMAN. The Senator from North Carolina is too good a lawyer, I judge, not to know that it is good law that the receiver of stolen goods is as guilty as the man who steals them.

Mr. SIMMONS. Oh, I do not think the President has stolen anything over there. I do not think there is any question of stolen goods and thievery involved in this matter.

Mr. President, as I was about to say when interrupted by the Senator from South Carolina, if Senators, however much they desire the canal, believe that that will be the effect of a vote for this treaty, while I dissent from that conclusion, I can not and will not criticize their opposition to it and their refusal to support it.

To my mind, Mr. President, the revolution in and the recognition of Panama and the ratification of the treaty with Panama as an independent State are two separate and distinct propositions. And I think to refuse to ratify the treaty because we can not approve of the way in which Panama acquired her independence, would be to unnecessarily confuse these two separate propositions. Josh Billings said: "I never argue against a success." The great humorist probably only meant by this saying to emphasize the truth that it is hard to argue against a success.

Mr. President, if it is hard to argue against success, it is impossible to argue against a fact. You may deal effectively, you may even punish the agents and instrumentalities which have brought a fact into existence, but you can do nothing with the fact itself except to recognize it. No amount of disapproval, criticism or denunciation will destroy it or modify its existence as a subsisting thing.

I join my colleagues on this side of the Chamber in condemning whatever wrong the President and the Administration may have done in connection with bringing about the independence of Panama, but in my vote upon the treaty I propose to recognize and act upon the fact that Panama is an independent State, possessed of equal rights and powers to make this treaty as we ourselves possess, not only with our consent, but the practically unanimous consent of all the civilized nations of the world.

I do not suppose that many Democrats approved of the action of this Government in connection with the revolution and annexation of Hawaii. The charges made against the action in this matter of the Administration then in power were not far different from those now made against the President.

Surely it can not be said that those Democrats who voted to give Hawaii representation in the House of Representatives, and those who have before and since voted for laws to give to the

people of that island good government and administration, by those votes condoned the wrongful and illegal acts of this Government which led to and made successful that revolution and annexation. Certain it is they did not intend by those votes to condone these things, but only to recognize a subsisting fact and act upon it.

The same is true with reference to the acts of the Administration toward the Philippine Islands after we had wrested that country from the dominion of Spain. It was then said that we had used the power of the Army to take from these people, whom we had found fighting for country and liberty, not only their country, but their freedom, and that, too, in violation of our plighted faith to them and of the essential principles of our own Constitution, and that when they resisted we had forced them to submit at the point of the bayonet and the mouth of the cannon.

I confess that I felt this way about that business myself; but can it be said that those Democrats, who a few days ago voted for Mr. Luke Wright to be governor of the Philippine Islands, by that act condoned those acts of spoliations, usurpations, and outrages against the Constitution of our fathers and the laws of civilization? Certainly they did not intend to do any such thing. They intended only to recognize an accomplished fact and to make the best of it, and that is all that vote or any other vote to give to the people of those islands good laws and administration means.

The people of the South voted for the thirteenth, fourteenth, and sixteenth amendments to the Constitution of the United States, but they did not mean by those votes to indorse the war that had been waged against the South to prevent her withdrawing, as they thought she had a right to do, peacefully from the Union. They did not mean to indorse the forcible abolition of slavery. They simply recognized the fact that the sword had forever put an end to the right of slavery and secession in this country and to act upon these facts without approving the way in which they had been brought about.

Mr. President, to my mind, you might as well say that I can not administer on the estate of a dead man without approving of his death as to say that I can not act upon the admitted fact that Panama is an independent nation without approving of the means by which that independence was achieved.

Mr. President, I can not find it in my heart to blame the Panamanians for seceding from Colombia. If oppression, if tyranny, if despotism ever justified revolutions, they were justified in revolution. They were bound to a State which had never felt or shown any interest in them or in their welfare. They were forced to pay ruinous taxes with only nominal representation, without receiving in return any of the benefits of taxation in government or administration, in public improvements or in the education of the people.

The canal was their only hope for relief from the miserable and wretched conditions to which Colombia's greed and tyranny had reduced them, and even that the Government at Bogota denied them.

Perhaps their aspirations for freedom were wrong, but our forefathers under like conditions did not think so. Perhaps they should have submitted supinely to oppression, but our forefathers under similar conditions struck for liberty and with the help of France achieved it.

On the other hand, Mr. President, I can not enthuse over the alleged wrongs of Colombia. The treaty we made with her was of her own seeking. It was signed by her authorized agents, with full knowledge of its contents. It provided for the construction upon her own territory of the greatest work of internal and international improvement and development ever essayed by man.

By duplicity and treachery she defeated that treaty, not because she did not want the canal, and would not have gladly taken it upon the terms provided therein, but because she wanted in an indirect way to extort more money from us or the Panama Canal Company, or perhaps from both.

Her treachery toward Panama and toward us in this canal matter illustrates both her traditional policy toward Panama and her standard of diplomacy. In all of her history I know of nothing to excite the admiration of any humane man or any patriotic liberty-loving American citizen.

Mr. President, when I consider the wrongs Colombia has perpetrated against Panama, and when I consider this last great act of indifference to the welfare of that long-suffering people, the conclusion forces itself upon me that when Colombia lost the canal, when Panama succeeded in establishing her independence, the eternal principles of right and righteousness once again prevailed.

Mr. President, I shall vote for these several resolutions of inquiry, the general purpose of which is to place the Senate in possession of the same information when it votes upon the ratification of the treaty that the President had when he made the treaty. That is right. The construction of the canal is a matter of the

greatest importance to all of our people. It is of supreme importance to the section from which I come.

The people of the State which I in part represent feel deeply concerned, not only in having the canal, but in securing it as speedily as possible. They are impatient of delays; they want to see negotiations ended and the work begun. They preferred the Nicaraguan route, but they do not think that the defeat of this treaty makes the canal at Nicaragua, either in the near or remote future, at all certain.

They see in its defeat only vexatious delays, dangerous procrastinations, and perhaps the ultimate defeat of their hopes. They do not wish to see this great enterprise become the football of partisan politics. They wish me to vote for this treaty if I can do so without violating my conscience. If for reasons of conscience I can not vote for it they will be sorely disappointed, but they will not condemn me.

I shall wait for the forthcoming of the information asked for in the pending resolutions. I shall hold my mind open until all the facts are laid before us. If they shall disclose a condition of things which, in my judgment, would make the ratification of this treaty improper or make it impossible for me to vote for it without doing violence to my conscience, I will not vote for it.

Mr. President, while, as I have tried to make plain, I have no sympathy with Colombia, I think she has suffered wrong at our hands, and I trust that some proper way may be found to compensate her in some way as far as it is possible for us to compensate her for these wrongs, and that the outcome of all this matter may be the speedy construction of the canal upon terms, not only satisfactory to us and to Panama, but reasonably so to Colombia; and I am glad the Democratic party has taken the initiative in bringing before Congress measures looking to that end.

REVOLUTION IN PANAMA.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution which will be stated.

The SECRETARY. Senate resolution 84, by Mr. STONE, directing the Committee on Foreign Relations to ascertain whether Bunau-Varilla and others residing in the United States, etc., did aid an insurrection in Panama against the Republic of Colombia.

Mr. SPOONER. I move the reference of the resolution to the Committee on Foreign Relations.

Mr. GORMAN. The Senator from Missouri [Mr. STONE] is absent at this moment.

Mr. SPOONER. I have, of course, no desire to press the motion in his absence.

Mr. GORMAN. I trust the motion will not be pressed. The purport of the resolution is to require the Committee on Foreign Relations to make this investigation. The reasons therefor were very ably presented by the Senator from Missouri who offered the resolution. It is a matter which it strikes me must be determined by the Senate.

Mr. SPOONER. Is this the same resolution? I did not so understand it.

Mr. GORMAN. It is the Stone resolution, directing the Committee on Foreign Relations to make the investigation.

Mr. SPOONER. The resolution on which the Senator from Missouri [Mr. STONE] addressed the Senate yesterday I understood went to the table subject to his call later.

Mr. GORMAN. I may be wrong, but I ask the Secretary to kindly read the resolution and let us see what it is.

The PRESIDENT pro tempore. It is the resolution which the Senator from Missouri modified yesterday.

Mr. SPOONER. I did not so understand it as it was stated.

The PRESIDENT pro tempore. The original proposition of the Senator from Missouri was that it might lie on the table subject to his call. Then the docket shows, "January 26, modified," and it shows nothing further. Perhaps a fair construction would be that the modified resolution shall lie on the table subject to his call.

Mr. GORMAN. I trust it may be so considered.

Mr. SPOONER. Certainly. I did not suppose it was the same resolution.

Mr. GORMAN. It is the same resolution.

Mr. SPOONER. I remember the Senator from Missouri asked that it might lie on the table subject to his call.

Mr. GORMAN. That was the original resolution, but I trust that the Chair will hold that the same order applies to the modified resolution.

The PRESIDENT pro tempore. The Chair will consider that the resolution lies on the table subject to the call of the Senator from Missouri. Does the Senator from Wisconsin withdraw the motion to refer?

Mr. SPOONER. My motion can go with it.

The PRESIDENT pro tempore. Yes; the motion can go with the resolution.

SAFETY APPLIANCES ON RAILROADS.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution, which will be stated.

The SECRETARY. A resolution by Mr. PATTERSON, calling on the Interstate Commerce Commission to send to the Senate copies of all petitions, etc., received relative to relieving common carriers by railroad from any of the provisions of safety-appliance acts, etc.

Mr. PATTERSON. Mr. President, I have an understanding with one or two Senators that I would not call up the resolution unless they were here. Neither of the Senators to whom I made the promise is present. So I hope the resolution will go to the Calendar, subject to call by me.

The PRESIDENT pro tempore. The Senator means that it shall go to the table subject to his call?

Mr. PATTERSON. Yes; let it go to the table.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Colorado that the resolution shall lie on the table subject to his call? The Chair hears none, and that order is made.

RELATIONS WITH COLOMBIA.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution, which will be stated.

The SECRETARY. Senate resolution No. 88, by Mr. HALE, requesting the President to tender his best offices toward the adjustment of differences between Colombia and Panama.

Mr. BACON. Mr. President—

The PRESIDENT pro tempore. This was to accompany the resolution offered by the Senator from Georgia [Mr. BACON] and is supposed to be offered as a substitute for it. The Senator from Georgia yesterday had his resolution laid on the table subject to call. If there be no objection the resolution will be regarded by the Chair as laid on the table, subject to call.

POST-OFFICE DEPARTMENT INVESTIGATION.

Mr. GORMAN. I request that all of the resolutions relating to the investigation of the Post-Office Department may be taken up and referred. We have agreed on all sides (and I understand that no further debate is desired in the Senate on them) that they shall be referred to the Committee on Post-Offices and Post-Roads.

The PRESIDENT pro tempore. They have all been referred to the Committee on Post-Offices and Post-Roads, together with the pending amendments.

Mr. GORMAN. I am very glad to hear it. I was not aware of it.

PAWNEE INDIAN SCHOOL.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution, which will be stated.

The SECRETARY. Senate resolution 93, by Mr. CARMACK, directing the Secretary of the Interior to transmit to the Senate the originals or copies of all charges, etc., relating to the superintendent and other employees of the Pawnee Indian School.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution, submitted by Mr. CARMACK on the 15th instant, was agreed to, as follows:

Resolved, That the Secretary of the Interior be, and hereby is, directed to transmit forthwith to the Senate the originals or copies of all charges, reports, and other documents on file in his Department relating to the superintendent and other employees of the Pawnee Indian School, Pawnee, Okla., together with such other information as will show the action of his Department in relation to such superintendent during the twelve months last past.

RELATIONS WITH NEW GRANADA OR COLOMBIA.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution which will be stated.

The SECRETARY. Senate resolution 102, by Mr. NEWLANDS, requesting the President to negotiate a new treaty with the United States of Colombia providing for the cession of all rights it may claim to have in connection with the Isthmus of Panama or the treaty of 1846.

Mr. GORMAN. I ask that this resolution may go over also.

Mr. SPOONER. Let it go over, Mr. President.

The PRESIDENT pro tempore. The Senator from Maryland asks unanimous consent that the resolution shall go over without prejudice. The Chair hears no objection.

DIPLOMATIC CORRESPONDENCE RELATIVE TO PANAMA, ETC.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution which will be stated.

The SECRETARY. Senate resolution 104, by Mr. CULBERSON, requesting the President to inform the Senate whether all the correspondence, etc., between the Department of State and the legation of the United States at Bogota, etc., has been sent to the Senate.

The PRESIDENT pro tempore. The Senator from Texas [Mr. CULBERSON], as he was to be necessarily absent from the Chamber, asked the Chair that this resolution might go over without prejudice.

Mr. GORMAN. Subject to his call?

The PRESIDENT pro tempore. No; that it shall remain on the table without prejudice. That would leave it in its present condition.

Mr. TILLMAN. To come up in the morning.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas? The Chair hears none, and that order is made.

MEMORIAL OF BATTLE AT POINT PLEASANT, W. VA.

Mr. SCOTT. I ask unanimous consent to have taken up out of its order the bill (S. 792) to authorize the erection of a monument at Point Pleasant, W. Va., to commemorate the battle of the Revolution fought at that point between the colonial troops and Indians October 10, 1774.

The PRESIDENT pro tempore. The bill will be read to the Senate in full for its information.

The SECRETARY. The Committee on the Library report to amend the bill by striking out all after the enacting clause and substituting the following:

That the sum of \$10,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of War, to aid in the erection and completion of a monument or memorial at Point Pleasant, West Virginia, to commemorate the battle of the Revolution fought at that point between the colonial troops and Indians October 10, 1774: *Provided*, That no part of said appropriation shall be expended until the site and plans for said monument or memorial shall be approved by the Secretary of War, and the grounds on which said monument or memorial is to be located shall be dedicated to the use of the public, and provision is made for opening and maintaining an open highway thereto.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to aid in the erection of a monument or memorial at Point Pleasant, West Virginia, to commemorate the battle of the Revolution fought at that point between the colonial troops and Indians October 10, 1774."

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his Secretaries, announced that the President had on the 23d instant approved and signed the following acts:

An act (S. 6) granting a pension to Cora M. Converse;

An act (S. 7) granting an increase of pension to Alfred Woodman;

An act (S. 8) granting an increase of pension to Perry Kittredge;

An act (S. 11) granting a pension to John L. Sullivan;

An act (S. 65) granting an increase of pension to Charles R. Allen;

An act (S. 112) granting an increase of pension to Henry G. Hammond;

An act (S. 172) granting an increase of pension to Elizabeth McClaren;

An act (S. 338) granting an increase of pension to Jane M. Watt;

An act (S. 339) granting an increase of pension to Ebenezer H. Richardson;

An act (S. 367) granting an increase of pension to George W. Richardson;

An act (S. 1604) granting an increase of pension to Mary A. Bishop;

An act (S. 1652) granting an increase of pension to Minerva A. McMillan;

An act (S. 1704) granting an increase of pension to Lucretia Ritchhart;

An act (S. 1755) granting an increase of pension to Thomas Banks;

An act (S. 1756) granting an increase of pension to Zebedee M. Cushman;

An act (S. 1772) granting an increase of pension to Louise K. Bard;

An act (S. 1819) granting an increase of pension to Charles P. Skinner;

An act (S. 1832) granting an increase of pension to George W. Herron;

An act (S. 1913) granting an increase of pension to Lorenzo E. Harrison;

An act (S. 1929) granting an increase of pension to George W. Spahr;

An act (S. 1952) granting an increase of pension to John Monahan;

An act (S. 1984) granting an increase of pension to Levi Roberts;
An act (S. 1985) granting an increase of pension to Jonathan Hites;

An act (S. 2078) granting an increase of pension to Hampton C. Watson;

An act (S. 2125) granting an increase of pension to Marcus T. Caswell;

An act (S. 2218) granting an increase of pension to Amanda B. Tisdell; and

An act (S. 1496) supplemental to the act of February 9, 1821, incorporating the Columbian College in the District of Columbia, and the acts amendatory thereof.

The message also announced that the President of the United States had on the 25th instant approved and signed the following acts and joint resolution:

An act (S. 465) to amend an act entitled "An act to permit the Pintsch Compressing Company to lay pipes in certain streets in the city of Washington," approved May 19, 1896;

An act (S. 652) making Chester, Pa., a subport of entry; and

A joint resolution (S. R. 31) authorizing the erection and maintenance of a monument in memory of the late President Benjamin Harrison, upon land owned by the United States in the city of Indianapolis, State of Indiana.

The message further announced that the President of the United States had on this day approved the joint resolution (S. R. 32) to fill vacancies in the Board of Regents of the Smithsonian Institution.

ALASKA SALMON COMMISSION.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read and referred to the Committee on Fisheries, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of Commerce and Labor submitting a preliminary report of the Alaska Salmon Commission, appointed in accordance with the instructions in my letter of November 8, 1902.

THEODORE ROOSEVELT.

WHITE HOUSE, January 27, 1904.

NOTE.—The report accompanied a similar message to the House of Representatives.

A. R. CRUZEN.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read:

To the Senate:

In response to the resolution of the Senate of January 18, 1904, requesting the President, "if not in his opinion incompatible with the public interest, to inform the Senate whether any report has been made to the Treasury Department by L. Cullom, special agent of the Treasury, with respect to the conduct of A. R. Cruzen, collector of customs in Porto Rico, and if so, to transmit the same to the Senate with a statement of what action, if any, has been taken thereon," I send herewith the accompanying letter from the Secretary of the Treasury. For the reasons therein given I deem it incompatible with the public interest to forward the report by the special agent of the Treasury in question.

THEODORE ROOSEVELT.

WHITE HOUSE, January 27, 1904.

Mr. BATE. My colleague [Mr. CARMACK], who offered the resolution, is not in the Chamber. I do not know what disposition he would desire to have made of the message. He was here a minute ago. I have sent for him.

The PRESIDENT pro tempore. The message will be printed and lie on the table.

Mr. BATE. Very well.

NATIONAL APPALACHIAN FOREST RESERVE.

The PRESIDENT pro tempore. The Chair lays before the Senate the Calendar of General Orders.

The bill (S. 887) for the purchase of a national forest reserve in the Southern Appalachian Mountains, to be known as the "National Appalachian Forest Reserve," was announced as first in order on the Calendar.

Mr. COCKRELL. The Senator in charge of that bill is absent, and the Senator from Colorado [Mr. TELLER] also specially requested that it should be passed over without losing its place.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Missouri, that the bill be passed over for the present without prejudice? The Chair hears none.

RELIEF OF CERTAIN SETTLERS.

Mr. MITCHELL. I ask unanimous consent that the Senate proceed to the consideration of Senate bill 278.

Mr. COCKRELL. Let us go on with the Calendar regularly for a little while and then we can take up that bill.

Mr. MITCHELL. I hope the Senator will not object to my request. After this bill is passed I shall consent to the course he suggests. A similar bill has passed the Senate two or three times heretofore.

Mr. COCKRELL. Let us see what it is.

The SECRETARY. A bill (S. 278) to amend an act entitled "An act for the relief of certain settlers on the public lands, and to provide for the repayment of certain fees, purchase money, and commissions paid on void entries of public lands."

The PRESIDENT pro tempore. The bill will be read to the Senate in full.

The Secretary proceeded to read the bill.

Mr. MITCHELL. I have been advised by the Senator from Arkansas [Mr. BERRY], who is a member of the Committee on Public Lands, that he would like to look into the bill. I supposed the report was unanimous, but he tells me he was not present when it was considered, so I ask that the bill may go over.

Mr. SPOONER. Is there a printed report?

Mr. MITCHELL. There is.

Mr. SPOONER. It is not in my file.

The PRESIDENT pro tempore. The bill will go over without prejudice.

Mr. MITCHELL. Without prejudice.

RELIEF OF CERTAIN DESERT-LAND ENTRYMEN.

The bill (S. 147) for the relief of persons who made the first payment for desert lands under the act of March 3, 1877, but who were unable to perfect entry thereof, was announced as next in order, and the Senate, as in Committee of the Whole, resumed its consideration.

The PRESIDENT pro tempore. The bill was considered yesterday, and is before the Senate as in Committee of the Whole and open to amendment.

Mr. BERRY. Mr. President, I wish to move an amendment to the bill. On page 2 of the bill, line 1, after the word "thereof," I move to insert the words "where the claim has not been assigned." Further along I move to strike out, in line 3, the words "or assigns," and to strike out, beginning after the word "afore-said," in line 5, down to line 8, including the word "repayment," and also to strike out the second proviso, beginning in line 11.

The PRESIDENT pro tempore. The Senator from Arkansas moves an amendment which will be stated.

The SECRETARY. On page 2, line 1, after the word "thereof," insert the words "where the claim has not been assigned."

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. WARREN. Mr. President, while I agree with what I think the Senator from Arkansas wishes to accomplish—i. e., avoid paying fraudulent claims—yet I want to call his attention to one feature of the case.

The original act, in contradistinction, perhaps, with others, seemed to be based upon the expectation of assignment in many cases, and the equity in such cases is often with the assignee. I wish to call the Senator's attention to the fact that none of these claims will be paid unless the Department is satisfied that they are legal and proper, and, of course, they have proofs as to every case on file in the Department.

Take a case where an assignment was properly made. The party has proceeded under it and expended his money, but is debarred from title on account of something beyond his control. Then I assume the Senator would not care that such an assignee, who proceeded in good faith, should lose his money just from the bare fact that he was an assignee, and properly so, under the law.

All these entries and proofs offered are matters of record. Not a case has been refused by the land offices without assigning the reasons therefor.

Mr. BERRY. Mr. President, the bill, as I stated yesterday, is not in its entirety a bill that I think appeals very strongly to either the sense of justice or equity which ought to control the Senate. Nevertheless, I would not have so much objection to refunding to the original entryman or his heirs, where he is dead, who had made no assignment, who had been prevented, and without fraud on his part, from consummating his entry. I would have no special objection to the money that he paid into the Treasury, 25 cents per acre, being refunded to him or to his heirs. But where he made an assignment, he, of course, can have no claim, because the assignee no doubt paid him the amount of 25 cents an acre and in many cases perhaps more than that. Therefore, he could have no claim whatever where he had assigned the claim.

Mr. MITCHELL. Will the Senator from Arkansas allow me a moment?

Mr. BERRY. Certainly.

Mr. MITCHELL. I wish to call the attention of the Senator from Arkansas to the fact that neither the chairman of the Committee on Public Lands [Mr. HANSBROUGH] nor the Senator from Wyoming [Mr. CLARK], also a member of the committee who reported this bill, is present. It seems to me that the measure ought not to be proceeded with in their absence. I submit it to the consideration of the Senate.

Mr. BERRY. I will say to the Senator that the bill was discussed something like an hour yesterday, the Senator from Wyoming [Mr. WARREN], who sits on my right, seeming to be in charge of the bill. If anyone desires, the bill may go over. It has come up on regular call. I am not pressing the matter. But I would like to conclude what I was saying and then the Senate can take such action as it chooses. I have not called it up. It came up in regular order. The Senator from Wyoming made no objection on account of the absence of his colleague, and, of course, I could not object.

Mr. President, I have already stated that where the original entryman made an assignment he could have, of course, no claim, because he was paid back his money by the party to whom he assigned.

Now, where some one else purchased his right, went into the market, made the contract with him, he certainly can have no claim against this Government. He bought the land from the other party upon the theory that it would pay him to buy it and that it was a matter to his interest. If he failed in that, if he was mistaken, if he was unable from any cause to carry out the provisions of the law and make the balance of the payments, certainly the assignee, I think, has no claim, either legal or equitable, against the Government that it should be paid back to him.

If the amendments I have offered prevail, then the bill will simply stand that where the original entryman made this entry, paid the Government 25 cents an acre, and was unable to carry out the provisions of the law, and there was no fraud or unlawful act upon his part, then, under the bill, he shall receive back his money. But I insist that the assignee has no kind of claim against this Government. He purchased it on speculation from the original entryman. If his speculation failed, he can not claim that it is the duty of the Government to pay him back money that he had never paid to the Government, but which he paid to another individual.

Now, that seems clear to my mind. I would not, as was charged by the Senator from Colorado [Mr. TELLER] yesterday, do the settlers in the West, or in any other part of this country, an injustice if I knew it, but it does seem utterly unreasonable that these assignees should be paid. How many of these claims they have collected, from whom they have purchased, or in whose hands they are I do not know; nor is it shown here how many of these claims there are, or probably will be, except by a general statement.

I insist, therefore, that before this bill is passed, if it is to be passed, it ought to be amended as I have suggested.

The Senator from Colorado [Mr. TELLER] yesterday said a great deal about these entries, and the hardships, etc., of settlers. He said something, in reply to what I had said, about men of wealth and corporations and combinations procuring others to take up lands and that then they would get the benefit of them. I am told, and the Secretary of the Interior so stated in his report a year ago, if not in the last, that thousands of acres have been procured in that way, by inducing persons to enter under the desert-land act, where there was never an attempt made even to put water upon the land; and in many cases individual cattle and sheep holders to-day own thousands of acres of land, procuring title from the Government, when the law was never complied with, and there was never any water put on the land, as the law required.

Of course those parties do not come under this bill, because they have title to the land, but I make this statement in answer to much that has been said by the Senator from Colorado. To-day the Secretary of the Interior says that the frauds which have been perpetrated in some of the Western States under the desert-land act, under the timber and stone act, and under the commutation clause of the homestead act are perfectly appalling.

The Senator from Montana [Mr. GIBSON], who made a report in favor of the repeal of these laws during the last Congress, recites case after case where lands have been procured from this Government by the means which I have named, and where thousands of acres are held by single individuals or by corporations, upon which they are grazing sheep and cattle to-day, and the provisions of the desert-land act have never been complied with in a great many hundreds of those cases.

Mr. SPOONER. Mr. President, I move that the pending bill with the amendments be referred to the Committee on Public Lands. I make this motion for the reason, mainly, that I am unwilling to vote for a measure involving an appropriation of a million dollars possibly, but of a quarter of a million dollars anyway, without some report from the Department of the Government which is charged with the administration of the affairs out of which the liability grows. I think this bill should be accompanied by a report of the Secretary of the Interior, and it should doubtless also be accompanied by a report from the Commissioner of the Gen-

eral Land Office, a very able man, who comes from the far West and who has had experience and observation of the class of cases which are covered by this bill. There is more than one class of cases covered by it.

How many Senators here know anything about what this bill carries in the way of appropriations or the distinction in merit between the two classes of cases, or the three or four classes; between language which will protect a man who, perhaps we all might say, ought to be protected and the speculator, the trafficker? I have listened to the debate and I can not tell, though it may be because of my dullness.

I now make this motion, and I shall generally make it in matters of this kind. I think such bills, where they involve anything of consequence, ought to go to the proper Department for report to the Senate, so that we shall have the Government's side of the matter as well as the claimants' side of the matter.

Mr. WARREN. Mr. President, I do not wish to antagonize the motion made by the Senator from Wisconsin [Mr. SPOONER], but I feel moved to say a word in connection with what the Senator from Arkansas [Mr. BERRY] has stated about confusion in the land laws.

The Senator, either purposely or not, has seemed to convey the idea that it was the desert-land law under which most of the fraudulent entries have been made and fraudulent practices had arisen. I think he will find, if he will reexamine the report of the Secretary of the Interior, to which he refers, that the same complaint is made as to all the land laws.

Mr. BERRY. I so stated, if the Senator will permit me.

Mr. WARREN. Very well. If the Senator so stated, as he says he did, what is he going to do about it? Is he going to say, because there have been some fraudulent proofs, and because there have been abuses of the law, that all of the land laws have been failures?

I should like to have him look for a moment at the country which is covered through the reclamation service under the desert-land law, see what it was before the desert-land law was passed and what it is now, and see what it has since contributed to the wealth of this nation. I contend that there is no law upon the statute book, aside from the original homestead law itself, which, as a whole, has been of as much benefit to this nation as the desert-land law. I know in my State and in the States of Idaho, Utah, Colorado, and others there would hardly have been enough reclaimed land to support one county in each State, perhaps, had it not been for this law. I know, and the Senator from Arkansas should know, the great progress there has been because of the operation of the desert-land law.

Now, as to the assignments, I will admit all the Senator says as to really fraudulent assignments. But there have been many other cases. For instance, I recall a town where there are probably fifteen hundred persons now living, a happy community. How came they there? Not many years ago it was as desolate a piece of land as existed in the State. There were a few public-spirited men who knew that water enough passed by it and that a large amount of money expended there would render available enough water to make that a large and valuable settlement. Half a dozen men clubbed together in the first instance, and later on a greater number contributed. Their own rights had been previously exhausted by desert-land claims, but there were others, some of whom wished to take desert-land claims, to go along with this aggregation, this association, and prove up upon their individual claims. There were still others who were willing to use their claim rights for the association, because they were living in the East and did not want to live upon the land, but were willing to help reclaim the waste places, and under the law they had the right to assign to somebody who could step into their places and go on. The men who went into it and entered first, six of them, expended from \$30,000 to \$50,000 apiece, which they have never since seen. Others expended smaller sums in trying to carry out the scheme of making the desert bloom and of locating there a happy colony.

Orders of the Department relating to proofs under the desert-land laws underwent so many changes that the original capital put in was all wiped out. The settlers had to go back and start anew.

Fortunately changes occurred which again brought the Department to a more liberal view of the matter. So we have there to-day some 75,000 acres of land under intense cultivation, producing great crops, cultivated by happy people; and yet, back of it all lies the wreck and ruin of several men—for the money they had invested was invested in just as good faith as though they had succeeded—because the Government, under various officials and orders, made it impossible for them to prove up.

Now, the suggestion of the Senator from Arkansas is to reimburse the original entry fee. That is good so far as it goes; but

there are a very great many of the assignees who should be treated with the same degree of liberality, because they were able to expend, and did expend at the time, much larger amounts of money than the usual first settlers could or would expend.

As to the matter of the recommitment of this bill, I am perfectly willing that it shall be recommitment, for this bill has not been sneaked in here against the wish and knowledge of the Interior Department. The Department was consulted regarding it, as were the members of the committee who have had it in charge. I have not the slightest objection to its recommitment for the purpose mentioned, although of course it will delay its passage and perhaps conduce to its defeat by reason of delay only. A precisely similar bill has been passed here three times while the same Senators who are now opposing it were members of this body. I also regret that it should not have had the earlier attention of the Senator from Arkansas, who is a member of the Committee on Public Lands, because that committee has favorably reported it three or more times, and never adversely.

Mr. SPOONER. I should like to inquire if the report of this bill has ever been accompanied by a report from the Interior Department?

Mr. WARREN. I think the report which is now before us is the only one that has come from the committee.

Mr. BERRY. Mr. President, I will say, in answer to the Senator from Wisconsin, that the matter was discussed in the Committee on Public Lands this morning. The clerk of the committee did not have time to make a very careful examination, but he stated that there was nothing on file with the committee to show that the Interior Department had ever made any report upon this bill.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Wisconsin [Mr. SPOONER], to recommit the bill, with the pending amendments, to the Committee on Public Lands.

The motion was agreed to.

W. J. KOUNTZ.

The bill (S. 421) for the relief of W. J. Kountz was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to W. J. Kountz, his heirs or legal representatives, \$12,487.14, that being the amount found due him by the Third Auditor, and approved by the Second Comptroller of the Treasury, on vouchers properly presented and on file, for services actually rendered by him in transporting troops and supplies on the Yellowstone River, under a contract dated March 12, 1878, between W. J. Kountz and the Quartermaster's Department of the United States Army, at St. Paul, Minn., but which was withheld by the accounting officers of the Government pending a suit by the United States to recover from said Kountz \$22,845.51, from the payment of which sum he was released and discharged by act of Congress of February 19, 1895, and the order of the Secretary of War of March 24, 1897, carrying the act of Congress into effect.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SADIE THOME.

The bill (S. 1585) for the relief of Sadie Thome was considered as in Committee of the Whole.

Mr. GALLINGER. Mr. President, it strikes me that this bill is not in very good form. It has a preamble that can not be stricken out and leave the bill perfect in itself, and so I offer what I send to the desk as a substitute.

The PRESIDENT pro tempore. The amendment in the nature of a substitute submitted by the Senator from New Hampshire will be read.

The SECRETARY. It is proposed to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sadie Thome, the widow of S. W. Thome, late consul of the United States at Asuncion, Paraguay, South America, who died at his post of duty on the 19th day of March, 1897, the sum of \$1,500, being the amount of salary for one year.

Mr. COCKRELL. That does not relieve it. The only way to relieve it is to let the bill be passed and then to strike out the preamble.

Mr. GALLINGER. That would not leave a perfect bill, I will say to the Senator, as he will see if he will read it.

Mr. COCKRELL. Then the Senator proposes to leave the preamble stand? When the Senator's substitute is agreed to the preamble will still be in the bill.

Mr. GALLINGER. Yes; but I shall move to strike that out later on.

Mr. COCKRELL. All right.

Mr. SPOONER. Mr. President, I want to say a word about this bill. I am not certain that I am opposed to it, and I dislike

to say a word which seems adverse to a bill which proposes to give money to the widow of a consular officer; but is it to become the rule that whenever a consul or an officer of the United States dies in a foreign land in the diplomatic service at his post of duty his widow is to be given a year's salary? I want to ask the Senator who reported this bill if that is regarded by the committee as a proper rule to adopt in all cases, or whether there is some peculiarity about this case which would make it fairly an exception to the rule?

Mr. KEAN. For the information of the Senator, I will state that the Committee on Foreign Relations thought there was a peculiarity about this case, and they therefore ordered it to be reported favorably.

Mr. SPOONER. I was not present at the meeting when this bill was considered, though I am on the Committee on Foreign Relations.

Mr. PENROSE. I should like to state, for the information of the Senator from Wisconsin, that a bill similar to this has, I think, passed the Senate twice in preceding Congresses, and I understand it is the custom to pay the balance of a year's salary where a consul dies at his post of duty.

Mr. SPOONER. I have known of cases that were passed—

Mr. KEAN. If the Senator from Wisconsin will look at the letter of the Department of State, dated December 31, 1891, contained in the report of the committee, he will find a reference to the widows of consuls who have been paid in this way where the consuls have died at their posts of duty; but there have been very few instances of the kind.

Mr. SPOONER. Well, Mr. President, it will soon get to be a rule, and I think the Senate ought to consider whether it ought to become a rule.

Mr. WARREN. May I ask the Senator a question?

Mr. SPOONER. Yes.

Mr. WARREN. Does the Senator not think it would be a safe rule to adopt that, with the small salaries which this Government pays its consular agents, there might be some security to the widow and children, so that they might at least have money enough to get them home to the United States in case of the death of the consul?

Mr. SPOONER. Certainly; but how are you going to grade it as to salary?

Mr. WARREN. I want to ask, on the line of principle, if the Senator does not think that as a rule this Government ought at least to bring home its own, whether dead or living, from the consular service without regard to salary, in cases of the death of consuls while on duty abroad? The various cases may be considered as they come up, each by itself, for there is no general rule; but in this case there seems to be a modest sum appropriated—only a matter of \$1,500.

Mr. SPOONER. It is a year's salary. They always begin with modest sums, but the amounts are gradually increased.

Mr. WARREN. Yes, and the time to stop it is when the sums get large.

Mr. SPOONER. When the sums get large we will not stop them. Precedent, precedent, precedent will be appealed to.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from New Hampshire [Mr. GALLINGER].

The amendment was agreed to.

Mr. PLATT of Connecticut. The precedents alluded to in the report do not seem to be uniform.

Mr. KEAN. Mr. President, if the Senator from Connecticut will read the letter from the Department of State, he will see the instances in which widows of consuls were paid. The cases cited at the beginning of the report refer to ministers who died at their posts.

Mr. PLATT of Connecticut. I wish, first, to read the very able report of the Senator from New Jersey [Mr. KEAN] citing the precedents. The first one is that of the widow of Bayard Taylor, who was paid \$7,000, which, I think, was not a year's salary. The payment was made, the report says—

to compensate his estate for the extraordinary expenses and losses incurred by it in consequence of his death so soon after reaching his post.

That was a special case. Then—

The joint resolution approved July 23, 1882, gave to Mrs. Hurlbut, widow of General Hurlbut (Captain Phelps's immediate predecessor), General Hurlbut having died while minister to Peru, one year's salary and legal allowances, after necessary deductions of salary paid.

I suppose that was his salary for the balance of the year. The same action was taken in the case of Mrs. Kilpatrick, widow of General Kilpatrick, who died while minister to Chile.

The report then gives the case of Mrs. Garnet, as follows:

The joint resolution approved August 1, 1882, gave to Mrs. Garnet, widow of the Rev. Henry Highland Garnet, who died while minister to Liberia, one year's salary and legal allowances, after deducting the amount received up to his death. Mr. Garnet had only been in Liberia a few weeks.

That was similar to the case of Bayard Taylor. The report continues:

The deficiency bill approved March 3, 1883, gave to Mrs. Marsh, widow of George P. Marsh, esq., who died while minister to Italy, the balance of one year's salary.

Then:

The act approved December 23, 1884, gave to Mrs. Jane Venable, widow of William E. Venable, esq., who died as minister to Guatemala, the sum of \$5,636.87, being the balance of one year's salary. In this case Mr. Venable was commissioned March 14, 1887, and died at Guatemala August 22 of that year, before presenting his credentials. Consequently the action of Congress dates twenty-seven years after the minister's death.

The next case cited in the report is as follows:

The deficiency bill approved March 3, 1885, gave to Mrs. Wing, widow of E. Rumsey Wing, esq., who died while minister to Ecuador, and to Mrs. Hunt, widow of William H. Hunt, esq., who died while minister to Russia, a sum equal to six months' salary in each case. Mr. Wing was commissioned minister-resident November 16, 1869. Shortly afterwards, however, Congress discontinued the mission to Ecuador.

Now, with regard to consuls. The letter of the Secretary of State, after a reference to Senate report No. 238 of the Forty-ninth Congress, first session, where a list of the diplomatic officers who died in the service and whose families have received various sums, from six months' salary to one year's compensation, says:

Since then Congress has provided for Mrs. Verona E. Pollock, widow of Alexander L. Pollock, who died while consul of the United States at San Salvador, the sum of \$6,840, which included a claim for the loss of private property, and her late husband's compensation.

Then, on April 17, 1900, Congress provided—

for the payment to Mrs. Clare M. Ashby, widow of William W. Ashby, who was drowned while consul of the United States at Colon, the sum of \$2,806, which represented the balance of one year's salary.

Again, in 1901—

Congress provided for the payment to Ella Lowery Moseley, widow of Robert E. Moseley, who died while consul-general at Singapore, a sum equal to three months' salary, or \$750.

These are the only cases of payment of this nature to widows of consular officers that the Department recalls at present.

So that the precedents have not been uniform in the amount which has been paid.

As the Senator from Wisconsin [Mr. SPOONER] says, I think this bill becomes important from the fact that, if we pass it, it will be considered as setting a precedent for paying a year's salary to the widow of any consul who may die in the service.

Mr. President, why should we pay such sums to the widows of consuls and not pay them to the widows of other Government officials, wherever serving, whether in Washington or any of the States of our Republic? I know that we pay a year's salary to the widow of a Senator who dies; I know that we pay a sum equal to six months' salary to the widows of the officers of the Senate who die in the service, which sum is to include all the expenses of the funerals; but what is there about a consul's office which entitles his widow to a year's salary when he dies any more than that of an Auditor of the Treasury Department, a Cabinet officer, or one of the assistant secretaries?

Mr. BEVERIDGE. May I ask the Senator a question?

Mr. PLATT of Connecticut. Yes.

Mr. BEVERIDGE. If one of our ministers or ambassadors or any other officer of the diplomatic corps stationed abroad dies, is the salary of such officer for that year paid to his widow?

Mr. PLATT of Connecticut. In some cases that has been done by Congress. The practice, however, has not been uniform, I think.

Mr. CULLOM. It is not the rule.

Mr. BEVERIDGE. For example, the ambassador to Germany, I think, gets a salary of \$17,500; and if he died his widow would be paid that amount. Is that the idea?

Mr. PLATT of Connecticut. It seems to me, Mr. President, we can not stop very well with consuls. A consul is an officer of no higher grade than a Cabinet officer, or an Assistant Secretary of one of the Departments, or a judge of the district court in the District of Columbia, or a United States attorney in any of the districts of the United States, or a district judge. I know that in one or two instances we have made appropriations for the widows of deceased officials. I remember we did make an appropriation in the case of Mrs. Miller, the widow of Justice Miller, of the Supreme Court, but if we pass this bill I do not see why the widow of every consul who may die at his post should not feel that she has a claim, under the practice of the Government, to one year's salary.

If in the case of a consul of the United States dying at his post a year's salary is to be paid to his widow, why should not the same practice be followed if the Commissioner of Pensions should die? Why would not his widow be entitled to the same favor, as well as the widow of the Commissioner of Education or of the Commissioner of Labor or of any of the Assistant Secretaries? The principle would be extended to cover the families of the deceased; and if the widows of the officers I have named are entitled to this bounty, why not the widow or family of every person employed in the service of the Government of the United States? Is there

any reason why we should do this in the case of a consul dying at his post which does not apply with equal force to every person in the employment of the Government?

There has been a good deal of talk about a civil pension—that is, a pension for civil officers after having served the Government and having become too old to be efficient. But that proposition has not been carried out; and the appropriation carried in the bill under discussion is in the nature of a pension.

Right here I wish to speak of a matter which was suggested by the Senator from Pennsylvania [Mr. PENROSE]. He said this bill or similar bills had twice passed the Senate. I know that is so, Mr. President, but bills of this character pass the Senate without any consideration, without discussion, without question, usually in the hurry of business when there is no time for discussion. I do not think that action by the Senate settles the principle at all. I think, as the Senator from Wisconsin has said, it is a very grave question whether we ought, by passing this bill, to establish the principle that whenever a person in the service of the Government dies his widow is to receive a year's salary. I think there is no special reason in this case why the bill should be passed. If it were a bill to bring home the remains of a deceased consul—

Mr. GALLINGER. The Government always does that.

Mr. PLATT of Connecticut. I think that is already provided for by the Government. This bill is not to reimburse the widow for any expense connected with the bringing home of the remains or the funeral expenses; it is simply saying that where a consul dies away from this country his widow shall have a year's salary voted to her by Congress. I can not see why, if that is to be done, there should not be voted to the widow or family of every person holding office under the Government a year's salary.

Mr. GALLINGER. Mr. President, first I want to make a parliamentary inquiry, and that is as to whether it has not heretofore been the custom that in proceeding to the Calendar we have acted under Rule VIII, and not under Rule IX, so that we could take up unobjectioned cases?

The PRESIDENT pro tempore. When the Calendar is taken up before 2 o'clock, it is under Rule VIII; but when the Calendar of General Orders is taken up after 2 o'clock, it is under Rule IX.

Mr. GALLINGER. I have heretofore noticed that we have had two Calendars; that proceeding under Rule VIII certain objected cases went to the Calendar which was said to be under Rule IX, and I had thought our custom had been, regardless of the hour, to proceed under Rule VIII. If I am wrong, of course I submit.

Mr. HALE. It can easily be settled at any time by asking unanimous consent when we take up the Calendar that we proceed under Rule VIII.

Mr. GALLINGER. Yes.

Mr. HALE. That is the Calendar under which we pass a great many cases that are satisfactory to Senators. Under Rule IX we get the fighting cases.

Mr. GALLINGER. I had it in mind, if the ruling of the Chair should be against me, to ask unanimous consent now that we consider the Calendar under Rule VIII.

The PRESIDENT pro tempore. The Chair would be obliged to rule against the proposition of the Senator. If the Calendar was commenced at any time before 2 o'clock, the Chair would hold that it was under Rule VIII, with the limitations of debate and all that sort of thing, but when it reaches 2 o'clock and the Chair lays before the Senate the Calendar of General Orders, the Chair would rule then that it is proceeded with under the general rule of the Senate.

Mr. GALLINGER. Has the Chair ruled that unanimous consent can not be given that we proceed under Rule VIII?

The PRESIDENT pro tempore. Unanimous consent will do anything except amend the Constitution of the United States.

Mr. GALLINGER. Precisely. That is what I thought, Mr. President, and for that reason I now ask unanimous consent that we proceed under Rule VIII in the further consideration of the Calendar to-day.

The PRESIDENT pro tempore. Does the Senator intend to have it apply to the pending bill?

Mr. COCKRELL. Let it apply to everything.

Mr. GALLINGER. I should think so, sir. I am quite willing that this bill should go over.

I will say in this connection that I this morning introduced a bill to make an allowance of \$1,500 to the widow of a consul who died recently, and who was from my own State. I do not believe in the principle at all, but if this bill is to be paid, I want the New Hampshire bill to be paid.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that the further consideration of the Calendar to-day shall be under Rule VIII. Under Rule VIII there is a limitation of the time of debate; there is a limitation as to how many times a Senator may address himself to the same

question; there is also a provision that if objection is made the case must go over, unless on motion it is determined by the Senate that it shall be considered. If it is so considered, then the ordinary rules prevail and not the provisions of Rule VIII. Is there objection to the request of the Senator from New Hampshire? The Chair hears none.

Mr. COCKRELL. Let the bill which has been under consideration go over.

The PRESIDENT pro tempore. Objection being made, the bill will go over. When objection is made, a measure simply goes over, retaining its place.

Mr. COCKRELL. Certainly; retaining its place.

CERTIFICATION OF LAND OFFICE RECORDS.

The bill (S. 372) authorizing the recorder of the General Land Office to issue certified copies of patents, records, books, and papers was considered as in Committee of the Whole. It provides that copies of any patents, records, books, or papers in the General Land Office, authenticated by the seal and certified by the recorder of such Office, shall be evidence equally with the originals thereof, to the same force and effect as when certified by the Commissioner of that Office.

Mr. COCKRELL. I should like to ask the Senator in charge of the bill why it is necessary to dispense with the signature of the head of a bureau and simply allow the chief of a division practically to certify to official papers? I should like to know of some reason for it. Heretofore we have required the Commissioner of the General Land Office to certify. Now, here is the recorder, a chief of a division in the Land Office, who is to certify to papers with the same effect as if the Commissioner of the General Land Office had done it.

Mr. LODGE. The bill requires the certification by the Commissioner.

Mr. BEVERIDGE. No.

Mr. LODGE. I think it is a mistake in the bill.

Mr. COCKRELL. No; I think not. I think it is just the reverse.

Mr. LODGE. No; the bill says, in the last line—oh, yes; I see.

Mr. COCKRELL. It is to do away with the certification by the Commissioner.

Mr. LODGE. The Senator is correct.

Mr. COCKRELL. I do not think it ought to be agreed to. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. COCKRELL subsequently said: I wish to have the Senate recur to Senate bill 372. I requested that it might go over.

I find that it does not provide for the certification of all papers by this officer, but simply that he shall certify copies of patents which have already been issued and which are in the recorder's office. I find that the Commissioner of the General Land Office wants the bill to pass. That being the object of it, I think it ought to be passed.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RESERVOIR RESERVATIONS.

The bill (S. 122) authorizing the Secretary of the Interior to restore to public entry lands embraced in whole or in part within segregations for reservoirs was considered as in Committee of the Whole. It provides that any or all of the lands heretofore included within reservations for reservoir purposes may, in the discretion of the Secretary, be thrown open to entry and settlement under the land laws as though such reservation had never been made.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MINOR COINS.

The bill (S. 903) providing for the purchase of metal and the coinage of minor coins, and the distribution and redemption of said coins was considered as in Committee of the Whole.

Mr. BERRY. I should like to ask the Senator from Rhode Island whether the bill affects adversely or in any way the mint at New Orleans?

Mr. ALDRICH. Under the law as it now stands minor coins are coined only at the mint in Philadelphia. This proposes to extend the same privileges to the mints at New Orleans, San Francisco, and Denver.

Mr. BERRY. To New Orleans?

Mr. ALDRICH. To New Orleans; to give them privileges which they do not now have.

Mr. BERRY. I did not observe the word there, and I was not sure about it. Is it a unanimous report from the Committee on Finance?

Mr. ALDRICH. Yes.

The bill had been reported from the Committee on Finance with

amendments. The first amendment of the Committee on Finance was, to insert after the enacting clause the following:

That sections 3523 and 3529 of the Revised Statutes be, and the same are hereby, amended so as to read as follows.

The amendment was agreed to.

The next amendment was, on page 1, line 6, before the word "that," to insert "Sec. 3528;" in line 10, after the word "may," to strike out "direct" and insert "designate, with the approval of the Secretary of the Treasury;" in line 11, after the word "transferred," to strike out "by the Secretary of the Treasury;" and on page 2, line 2, after the words "San Francisco," to insert "Denver;" so as to read:

SEC. 3528. That for the purchase of metal for the minor coinage authorized by this act a sum not exceeding \$200,000 in lawful money of the United States shall, upon the recommendation of the Director of the Mint and in such sums as he may designate, with the approval of the Secretary of the Treasury, be transferred to the credit of the superintendents of the mints at Philadelphia, San Francisco, Denver, and New Orleans, at which establishments, until otherwise provided by law, such coinage shall be carried on, etc.

The amendment was agreed to.

The next amendment was, on page 2, line 19, to strike out "Sec. 2" and insert "Sec. 3529."

The amendment was agreed to.

The next amendment was, on page 3, after line 11, to strike out the following:

SEC. 3. That sections 29 and 30 of an act entitled "An act revising and amending the laws relative to the mints, assay offices, and coinage of the United States," approved February 12, 1873, are hereby repealed.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LEGAL REPRESENTATIVES OF NAPOLEON B. GIDDINGS.

The bill (S. 56) for the relief of the legal representatives of Napoleon B. Giddings was considered as in Committee of the Whole. It directs the Secretary of War to cause to be investigated the circumstances of the alleged taking from Napoleon B. Giddings, in January, 1847, at Santa Fe, N. Mex., and deposit with A. B. Dyer, lieutenant of ordnance, United States Army, by order of Sterling Price, colonel commanding the army in New Mexico at that time, of 140 kegs of gunpowder; and if the powder was never returned to Giddings, then the Secretary of the Treasury is authorized to cause to be paid to the legal representatives of Giddings the reasonable market value of the powder.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

M. E. SAVILLE.

The bill (S. 61) for the relief of M. E. Saville was considered as in Committee of the Whole. It directs the Secretary of War to cause to be investigated embezzlement of quartermaster and commissary funds and stores at Fort Gill, Okla., discovered while M. E. Saville, first lieutenant, Tenth Regiment United States Infantry, was quartermaster and commissary at that post; and if upon such examination the Secretary is satisfied that Saville exercised due diligence and care in the discharge of his duties he is directed to release and discharge Saville from any further liability.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SHIPPING BETWEEN UNITED STATES AND PHILIPPINE PORTS.

The bill (S. 2259) to regulate shipping in trade between ports of the United States and ports or places in the Philippine Archipelago, between ports or places in the Philippine Archipelago, and for other purposes, was announced as the next business in order on the Calendar.

Mr. LODGE. Let the bill go over, Mr. President.

The PRESIDENT pro tempore. It will go over.

RUDOLF HERBST.

The bill (S. 126) for the relief of Rudolf Herbst was considered as in Committee of the Whole. It directs the accounting officers of the Treasury to reopen the claim of Rudolf Herbst, as acting hospital steward of the United States Army and hospital steward of the First Montana Volunteer Infantry, and allow him the pay, allowances, and extra pay of a hospital steward from August 18, 1898, to the date of the muster out of the First Montana Volunteer Infantry, less the pay, allowances, and extra pay received by him for that period.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COUNTY OF WHITE PINE, NEV.

The bill (S. 1741) for the relief of the county of White Pine, State of Nevada, was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to the county of White Pine, Nev., \$769.67, to reimburse the county for money expended in caring for certain Indians who contracted smallpox during the smallpox epidemic from February 26 to July 1, 1901.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BUST OF GENERAL LAFAYETTE.

The joint resolution (S. R. 21) authorizing the purchase of a marble bust of General Lafayette, executed by David D'Angers, was considered as in Committee of the Whole. It proposes to appropriate the sum of \$2,000 to enable the Joint Committee on the Library to purchase from Hawkins K. Jenkins, executor of the will of the late Dr. Gabriel F. Manigault, a marble bust of General Lafayette, executed by David D'Angers.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

STATUE OF HENRY WADSWORTH LONGFELLOW.

The joint resolution (S. R. 20) authorizing the selection of a site and the erection of a pedestal for a bronze statue in Washington, D. C., in honor of the late Henry Wadsworth Longfellow was considered as in Committee of the Whole. It proposes that the chairman of the Senate Committee on the Library, the chairman of the House Committee on the Library, and the Secretary of War shall be appointed a commission to select a site upon property belonging to the United States in the city of Washington, other than the Capitol or Library grounds, for the erection of a statue in bronze of the late Henry Wadsworth Longfellow, to be provided by the Longfellow Memorial Association.

For the preparation of the site so selected and the erection of a pedestal upon which to place the statue, etc., \$4,000 is appropriated.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARKING OF GETTYSBURG BATTLEFIELD.

The bill (S. 2697) to amend an act authorizing the Secretary of War to cause to be erected monuments and markers on the battlefield of Gettysburg, Pa., to commemorate the valorous deeds of certain regiments and batteries of the United States Army was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SECOND LIEUTENANTS, MARINE CORPS.

The bill (S. 2114) to fix the rank of certain officers in the Army was considered as in Committee of the Whole. It proposes that any second lieutenant of the United States Marine Corps who may have been appointed second lieutenant of artillery since the 2d day of February, 1901, shall, in determining his lineal and relative rank, be entitled to the same credit for prior commissioned service as a lieutenant of volunteers appointed under the act entitled "An act to increase the efficiency of the permanent military establishment of the United States," approved February 2, 1901.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LEONARD L. DIETRICK.

The bill (S. 146) for the relief of Leonard L. Dietrick was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment, on page 1, line 12, after the word "Dietrick," to strike out "repaid" and insert "accounted for and paid;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Leonard L. Dietrick, late first lieutenant, Thirty-fourth Infantry United States Volunteers, the sum of \$120, said sum having been United States funds stolen from his safe at Penaranda, Nueva Ecija, P. I., at some time between December 3, 1900, and December 24, 1900, while he was acting commissary officer; and which sum the said Leonard L. Dietrick accounted for and paid to the proper officer of the United States from his own private funds.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

COUNTY GOVERNMENT IN HAWAII.

The bill (S. 2400) to approve act No. 31 of the session of 1903 of the legislature of the Territory of Hawaii, approved April 22, 1903, entitled "An act providing for the organization and government of counties and districts, and the management and control of public works and public institutions therein," was announced as the next business in order on the Calendar.

Mr. HALE. Let the bill go over.

The PRESIDENT pro tempore. The bill will go over.

REMOVAL OF DERELICTS.

The bill (S. 2262) to provide for the removal or destruction of derelicts was considered as in Committee of the Whole. It proposes that the President may detail any public vessel to remove

or destroy any derelict from the course of vessels at sea. Any public vessel when so detailed shall be under the direction of the Secretary of Commerce and Labor.

One hundred and seventy-five thousand dollars is appropriated for the construction, under the direction of the Secretary of Commerce and Labor, of a steam vessel especially fitted for and adapted to the purpose of removing or destroying derelicts from the course of vessels at sea.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LIFE-SAVING STATION AT NOME, ALASKA.

The bill (S. 2692) to establish a life-saving station at Cape Nome, Alaska, was considered as in Committee of the Whole. It proposes to establish a life-saving station at Cape Nome, Alaska, at such point as the General Superintendent of the Life-Saving Service may recommend, the life-saving boats and apparatus placed there under the authority of the act making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1902, to form a part of the equipment of said station.

Mr. PERKINS. I move to amend the bill by striking out, in line 4, before "Nome" the word "Cape."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to establish a life-saving station at Nome, Alaska."

NATIONAL CEMETERY, PENSACOLA, FLA.

The bill (S. 619) making an appropriation for completing the construction of the road to the national cemetery near Pensacola, Fla., was considered as in Committee of the Whole. It proposes to appropriate \$32,000 for the purpose of completing the construction of the roadway from Pensacola, Fla., to the national cemetery near that city.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELECTRIC LIGHT AT HONOLULU.

The bill (S. 2401) to approve a special act duly enacted by the legislature of the Territory of Hawaii to authorize and provide for the manufacture, distribution, and supply of electric light and power on the island of Oahu, Territory of Hawaii, was announced as next in order.

Mr. GALLINGER. Let that bill go over.

The PRESIDENT pro tempore. The bill goes over.

REPUBLIC OF PANAMA.

The resolution, submitted by Mr. HOAR December 10, 1903, requesting the President to communicate to the Senate such facts as may be in his possession or in that of any of the Executive Departments as will show whether, at the time of the ratification of the treaty with the Republic of Panama, that province had successfully established its independence, etc., was announced as next in order.

Mr. GALLINGER. Let the resolution go over.

The PRESIDENT pro tempore. The resolution will go over.

STATUE OF GEN. JAMES MILLER.

The bill (S. 1634) for the erection of a statue to the memory of Gen. James Miller at Peterboro, N. H., was considered as in Committee of the Whole. It proposes to appropriate \$5,000 for the erection of a statue, in bronze or granite, to the memory of Gen. James Miller, the hero of Lundys Lane, at Peterboro, N. H., which sum shall be expended under the direction of the Secretary of War, or such officer as he may designate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN F. WESTON.

The bill (S. 2696) authorizing and directing the Secretary of the Treasury to pay John F. Weston the sum of \$241.60, etc., was considered as in Committee of the Whole. It proposes to pay to John F. Weston the sum of \$241.60, being compensation for loss, in 1877, of his professional books and clothing while changing station, under orders, from the cantonment on Tongue River, Montana, to Helena, Mont., as captain and commissary of subsistence, United States Army.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ORDER BOOK OF GEN. ARTHUR ST. CLAIR.

The joint resolution (S. R. 8) authorizing the Secretary of War to negotiate with John T. Dolan, of Portland, Oreg., for purchase of original manuscript copy of "Order book of Gen. Arthur St. Clair," was announced as next in order.

Mr. LODGE. Let that go over.

The PRESIDENT pro tempore. The joint resolution goes over.

HEIRS OF JOSEPH W. ETHERIDGE AND JOHN M. RICHARDSON.

The bill (S. 468) for the relief of the widow and children of the late Joseph W. Etheridge and the widow of the late John M. Richardson was considered as in Committee of the Whole. It proposes to pay to the widow and children (in equal proportions) of the late Joseph W. Etheridge, late superintendent of the sixth life-saving district, who died February 15, 1893, from pneumonia, contracted by him from exposure in the line of his duty in the Life-Saving Service, a sum equal to two years' pay of a district superintendent of the Life-Saving Service, and to pay the same amount to the widow of the late John M. Richardson, late superintendent of the first life-saving district, who died the 13th day of June, 1896, from the effects of a trip of inspection through his district, in the line of his duty in the Life-Saving Service, made by him while in an enfeebled condition, against the advice of his physicians and at the cost of his life.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

IDAHO SOLDIERS AND SAILORS' HOME.

The bill (S. 250) granting to the State of Idaho 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Idaho Soldiers and Sailors' Home was considered as in Committee of the Whole. It grants 50,000 acres of the unappropriated nonmineral public lands within the State of Idaho to that State, the same to be selected by the proper authorities thereof, to aid in the continuation, enlargement, and maintenance of the Idaho State Soldiers and Sailors' Home, and such portion as may not be necessary for the purpose specified shall be applied to the support of such public, benevolent, reformatory, or other educational institution as the legislature of the State may designate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF CERTAIN SETTLERS.

The bill (S. 278) to amend an act entitled "An act for the relief of certain settlers on the public lands and to provide for the repayment of certain fees, purchase money, and commissions paid on void entries of public lands" was announced as next in order.

Mr. PLATT of Connecticut. Let that go over.

The PRESIDENT pro tempore. The bill goes over.

NATURALIZATION OF PORTO RICANS.

The bill (S. 2345) to make applicable the provisions of the naturalization laws of the United States to Porto Rico, and for other purposes, was considered as in Committee of the Whole.

Mr. KEAN. Let the report be read.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. COCKRELL (for Mr. FORAKER) December 19, 1903, as follows:

The Committee on Pacific Islands and Porto Rico have had under consideration the following bill:

"A bill to make applicable the provisions of the naturalization laws of the United States to Porto Rico, and for other purposes.

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the applicable provisions of the naturalization laws of the United States shall apply to and be held to authorize the admission to citizenship of all persons not citizens who owe permanent allegiance to the United States, and who may become residents of any State or organized Territory of the United States, with the following modifications: The applicant shall not be required to renounce allegiance to any foreign sovereignty; he shall make his declaration of intention to become a citizen of the United States at least one year prior to his admission; and residence within the jurisdiction of the United States, owing such permanent allegiance, shall be regarded as residence within the United States within the meaning of the five years' residence clause of the existing law.

"SEC. 2. That the provisions of the act approved March 2, 1887, entitled 'An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1882, and of the acts supplementary thereto,' and the provisions of the act approved August 30, 1890, being 'An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July 2, 1882,' be, and the same are hereby, extended to Porto Rico.

"SEC. 3. That the Secretary of War be, and he is hereby, empowered to authorize the construction or extension of any wharf, pier, dolphin, boom, weir, breakwater, sea wall, bulkhead, jetty, or other structure on any of the lands belonging to the United States which underlie the harbor areas and navigable waters and streams lying in or surrounding the island of Porto Rico and the islands lying adjacent thereto, and to authorize the filling in or dredging of such lands, and to authorize any of the above obstructions in the said harbor areas and navigable waters and streams: *Provided, however*, That the plans for such work be first recommended by the Chief of Engineers."

The passage of the measure is recommended. The following brief analysis of the sections of the bill shows the scope and purpose of the proposed legislation.

Section 1, authorizing the naturalization of citizens of Porto Rico, was favorably reported from the Committee on Pacific Islands and Porto Rico at the last session in the same form in which it appears in this measure. The committee now simply repeats what it said at that time in support of the provision, namely:

"The naturalization laws of the United States now in force contemplate the admission to citizenship by naturalization of only aliens who prior to naturalization owe allegiance to some foreign sovereignty. The inhabitants of Porto Rico and the Philippines, Guam, Tutuila, and other insular possessions have not been made citizens of the United States. They have, however, passed under our jurisdiction, and are under our sovereignty, and owe allegiance to the United States, and do not owe allegiance to anybody else; and

still they are neither aliens nor citizens. Not being aliens, they can not be naturalized, and for that reason citizenship is to them impossible; their situation in that respect is worse, therefore, than that of aliens. Such an anomalous result was not intended by the legislation that has been enacted affecting the civil and political status of the inhabitants of our recently acquired insular possessions. The section provides a remedy."

This section was contained in the bill (H. R. 17546) to provide a Delegate to the House of Representatives of the United States from Porto Rico, which passed the Senate March 3, 1903. It failed to become law, however, by reason of the lack of time on the part of the House to consider and agree to the Senate amendments.

Section 2 of the bill extends the provisions of the Hatch and Morrill laws, so called, to the island of Porto Rico. The effect of this section will be to entitle Porto Rico to be paid the sum of \$40,000 annually for the support of a college for the benefit of agriculture and the mechanic arts. Every other Territory of the United States, as well as every State in this Union, now has the benefits of these laws. There is no place where such an educational help is more needed or where it will be better appreciated. This section, without the incorporation of the Hatch law, was also included in the bill heretofore mentioned (H. R. 17546), which passed the Senate at the second session of the last Congress.

Section 3 of the bill is drawn in the interest of improved harbor facilities for the island, the necessity for which has been brought to the attention of this committee through numerous petitions, memorials, etc., praying for the legislation proposed, received from time to time, the latest being one from the municipal council of the city of Ponce and one from the executive council of Porto Rico. The bill H. R. 17546, above referred to as having passed the Senate at the second session of the Fifty-seventh Congress contained this section also.

Mr. SPOONER. I wish to make an inquiry of the Senator who reports the bill.

Mr. FORAKER. It was reported during my absence by the Senator from Missouri [Mr. COCKRELL], but it was reported, as it states here, for me.

Mr. SPOONER. I listened to the report or a portion of it.

Mr. FORAKER. It was reported in that way, I suppose, simply because I am the chairman of the committee.

Mr. SPOONER. Does the bill make any change in the political status of the Porto Ricans?

Mr. FORAKER. No; it makes no change whatever.

Mr. SPOONER. Does it provide for a Delegate?

Mr. FORAKER. It does not.

Mr. BEVERIDGE. It provides the machinery for naturalization.

Mr. FORAKER. It simply provides for their naturalization. It is evident from the provisions of the law, and it has been so held by the courts, that they are not aliens. It has not been settled yet that they are not citizens, but the language of the law is such as to preclude that idea, as we think, and it has been held that in order to become citizens they must be naturalized. Under the law as it now stands they can not be naturalized, because the first requirement of the law is that they shall forswear allegiance to some foreign potentate or power. They do not owe any such allegiance. They owe allegiance only to us. Their condition is worse than the condition of the Spaniard who elected to remain loyal to Spain and continued to live in Porto Rico, because he can become naturalized and the Porto Rican can not.

Mr. NELSON. May I ask the Senator a question?

Mr. FORAKER. Certainly.

Mr. NELSON. Has any court decided that the Porto Ricans are not citizens of the United States?

Mr. FORAKER. No; no court has so decided.

Mr. QUARLES. It was decided that they are not aliens.

Mr. FORAKER. The Supreme Court has recently decided that they are not aliens, and the point made in the report is that they are not aliens owing allegiance to some foreign Government or power, and for that reason the naturalization laws as they now stand do not apply to these people to enable naturalization.

Mr. SPOONER. Under the operation of this bill do they become naturalized?

Mr. FORAKER. They do not. They have to become naturalized.

Mr. SPOONER. When they come to this country?

Mr. FORAKER. They become naturalized when they come into this country, and not until they come in.

Mr. BEVERIDGE. I should like to ask the Senator, on that very point, the meaning of this language:

And residence within the jurisdiction of the United States, owing such permanent allegiance, shall be regarded as residence within the United States.

Mr. FORAKER. That is as to the time when they can be admitted as citizens by the court; but the first provision, as the Senator will see, is that the applicable provisions of the laws of the United States shall apply to these Porto Ricans. They have to appear before a court of the United States or of some State.

Mr. BEVERIDGE. I did not so understand it. I only noticed an apparent conflict between the provision which I read and the prior provision.

Mr. FORAKER. That simply means that when they shall have resided under our jurisdiction, in Porto Rico or elsewhere, for a period of five years, they may when they come into this country, showing that fact, be eligible to naturalization.

Mr. HALE. The Senator from Wisconsin asked if there was anything in this bill that changes the status of these people, to

which the Senator from Ohio, the chairman of the committee, I think, replied that there is not. It seems to me the Senator can not go quite so far as that. It appears to me that it does change the status considerably; whether desirable or not is another question.

I should like to have that part of the bill read which touches the consideration at the moment in the Senator's mind, about where these Porto Ricans must be naturalized and whether a five years' residence in Porto Rico heretofore is adequate to entitle them to apply for citizenship. Let that be read.

Mr. FORAKER. If the Senator from Maine will pardon me, before it is read I will say to him that I did not intend to answer in the broad way he seems to have understood me. The effect of this bill is not to change the status, but it is to afford to Porto Ricans means of changing their status; that is, the effect of the bill is to give them some way in which to become naturalized citizens of the United States. They have no such way now. That is the only purpose of it. It is provided in the bill that if they have lived five years under the jurisdiction of the United States, under the laws of the United States, whether that be in Porto Rico or in the Philippines or elsewhere, they shall, when applying for naturalization in accordance with the laws now in force, be admitted to naturalization.

Mr. HALE. The clause in lines 6 and 7, perhaps, covers what was in my mind, but here is the whole provision:

That all the applicable provisions of the naturalization laws of the United States shall apply to and be held to authorize the admission to citizenship of all persons not citizens who owe permanent allegiance to the United States—

That is intended, of course, to cover Porto Rico—

and who may become residents of any State or organized Territory of the United States.

That, the Senator would say, excludes Porto Rico from that part of it.

Mr. FORAKER. What I said awhile ago, and repeat, is that under the provisions of this law a Porto Rican can not become naturalized in Porto Rico, in the courts of Porto Rico; he must come here.

Mr. HALE. The language is—
and who may become residents of any State or organized Territory.

That would not include Porto Rico?

Mr. FORAKER. No.

Mr. HALE. So that no Porto Rican, after this bill passes, can be naturalized unless he becomes a resident of the United States.

Mr. BEVERIDGE. And makes his declaration.

Mr. HALE. Or who may become a resident of any State or Territory, just as if he came from Ireland or Italy or Germany.

Mr. FORAKER. Precisely the same, except that he is allowed credit for the time he has lived under our jurisdiction, whether that be in Porto Rico—

Mr. HALE. Where is that provision?

The applicant shall not be required to renounce allegiance to any foreign sovereignty—

That is right—

he shall make his declaration of intention to become a citizen of the United States at least one year prior to his admission; and residence within the jurisdiction of the United States, owing such permanent allegiance, shall be regarded as residence within the United States within the meaning of the five-years' residence clause of the existing law.

That is, he must count up five years either of residence since the passage of the Foraker Act or in the United States.

Mr. FORAKER. Yes.

Mr. BEVERIDGE. If a citizen of the Philippines comes over here and under the provisions of this proposed act becomes naturalized and then goes back there, he is no longer a citizen of the Philippine Islands, but a citizen of the United States, is he not?

Mr. FORAKER. He is no longer what?

Mr. BEVERIDGE. He is a citizen of the United States. He comes over here and becomes naturalized, and when he goes back he goes back as a citizen of the United States like anybody else who goes from the United States. Would not that be the effect of this bill?

There are two or three propositions embraced in the bill which present some confusion, at least in my mind. It raises rather an anomalous condition of things.

Mr. LODGE. The bill does not touch the Philippine Islands at all.

Mr. BEVERIDGE. It does not? I do not know.

Mr. LODGE. It refers only to citizens of Porto Rico.

Mr. GALLINGER. It does not in the text.

Mr. FORAKER. It does only in the title.

Mr. GALLINGER. That is all.

Mr. FORAKER. I do not know but that it would be construed to apply to anybody living anywhere under the jurisdiction of the United States.

Mr. BEVERIDGE. Yes; under the jurisdiction of the United States.

Mr. FORAKER. The point I would make in answer to the Senator's suggestion is, if that be true, what harm can come from it? People do not come here in considerable number merely for the sake of becoming naturalized and then going back.

Mr. BEVERIDGE. I agree with the Senator. I do not know that there would be any harm in it, but it will at once occur to every Senator that there is at the moment confusion in that statement and it raises a questionable situation.

I have no disposition to object, of course, to the consideration of the bill, but does it not occur to the Senator that there are two or three matters of confusion suggested here by the queries of Senators, and that it might well go over?

Mr. FORAKER. No; I do not see any confusion, if the Senator will pardon me for saying that. It is probably due to the fact that we have given a good deal of study to this subject. We had it before our committee at the last session of the last Congress and the bill was then reported. It was considered in the Senate, and the Senate passed unanimously a bill in these exact words. There is no change whatever.

Mr. BEVERIDGE. Of course this bill does apply to the Philippines as well as to Porto Rico.

Mr. FORAKER. I do not think there should be any trouble about it. I do not know why—

Mr. SPOONER. Will the Senator from Ohio allow me?

Mr. FORAKER. In a minute. I do not know why it should not apply to a citizen of the Philippines living there, an inhabitant there, and owing allegiance to us, owing permanent allegiance to us as a people. That expression was furnished us by the State Department. This measure was referred to the State Department and very carefully considered there. If my memory does not serve me incorrectly, it originated with the State Department. They communicated to us in regard to it, saying that this trouble constantly arises. The citizens of Porto Rico and the citizens of the Philippines also, for I think it would have equal application to them, owe us permanent allegiance; and yet if they see fit to come here and reside in good faith and for all time they never can become naturalized. Their condition is worse than the condition of their fellow-citizens who, under the terms of the treaty of peace, elected to retain their allegiance to Spain.

Mr. BEVERIDGE. The Senator will observe—

The PRESIDENT pro tempore. Under Rule VIII no Senator is entitled to speak more than once.

Mr. BEVERIDGE. I was going to put a query to the Senator. However, I will not insist upon it.

Mr. SPOONER. I do not intend to speak on the bill. I only wish to ask the Senator from Ohio whether, in view of its importance, it would not be better that it should go over and not be considered under the five-minute rule?

Mr. FORAKER. I am willing that it shall go over, if Senators think they want to discuss it; but it seems to me to be a very simple proposition. It appears to me that these Porto Ricans, who have been under our jurisdiction and who have been good and loyal people, ought to be put on at least as good footing as the Spaniard who elected to retain his allegiance to Spain.

Mr. PETTUS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Alabama?

Mr. FORAKER. Certainly.

Mr. PETTUS. I desire to ask a question of the Senator in charge of the bill. Would it not be better to make the island of Porto Rico a Territory and thereby solve the question as to citizenship?

Mr. FORAKER. Well, that is a different kind of a question. I have not as much objection to that as some of my colleagues in the Senate have expressed. I think the Porto Ricans have a good government now. I think they have a very fortunate position under the law under which they are living and by which they are being governed. I doubt if a Territorial government would be of any advantage to them or, at the present time, of any advantage to us. But whether they are to have the one or the other, it seems to me that at once they ought to be given the right to become naturalized citizens of the United States if they so desire.

Mr. HALE. This will not apply to many people. Very few of those people will come here.

Mr. FORAKER. Very few.

Mr. BEVERIDGE. They will come over and go back there.

Mr. FORAKER. If they do go back, they go back as citizens, and that will be all the better for us.

Mr. FAIRBANKS. Mr. President, I rise simply to observe that I think the bill is certainly a very meritorious one. It seems to me to be the merest act of justice to give the people of Porto Rico citizenship here. As it is, they are not citizens of the United States, nor are they capable of becoming citizens. Certainly there will be comparatively few of them who will come here; but if they do come, they ought to have the right to become naturalized.

Mr. FORAKER. In other words, owing us permanent allegiance ought not to put them in a worse situation than is the alien; their state ought not to be worse than that of aliens. I hope the bill will pass without amendment.

Mr. HEYBURN. I should like to inquire, through the Chair, of the Senator having the bill in charge what is meant by the phrase in the last line on page 1, "residence within the jurisdiction of the United States?" Are not those people now within the jurisdiction of the United States?

Mr. FORAKER. Certainly they are; but the purpose is to give them credit for the five years required to entitle them to naturalization, although they are living in Porto Rico.

Mr. HEYBURN. Would they not be within the jurisdiction of the United States if they lived in the Philippine Islands?

Mr. FORAKER. Certainly they would.

Mr. HEYBURN. Then, it seems to me, the question of residence is not really material to be expressed in the bill, inasmuch as they now reside within the jurisdiction of the United States.

Mr. FORAKER. If the Senator will permit me, under the naturalization laws as they now exist, those people must reside here within the United States for five years. And the purpose of the committee in framing the bill in this case was to let those people have credit for the time they have lived under our jurisdiction, whether here or in Porto Rico, owing us allegiance.

Mr. HEYBURN. Is it the intention that they shall live within the jurisdiction of the United States for the period named in the bill, even though they may have lived within that jurisdiction in the island of Porto Rico?

Mr. FORAKER. When we come to consider whether they have been five years residing within the jurisdiction of the United States, the purpose of the bill is to give them credit for all the time that they have lived under our jurisdiction and have been owing us allegiance.

Mr. HEYBURN. Do I understand that they will be entitled, upon application for citizenship, to have credit for the time that they have resided in Porto Rico since it has been under our jurisdiction?

Mr. FORAKER. They would be entitled to whatever time they can show they have lived here or in Porto Rico since the island has been under our jurisdiction and subject to our laws.

Mr. NELSON. Mr. President, so far as I am concerned my mind is entirely clear that the bill is a perfectly harmless one. The people of Porto Rico are citizens of the United States in that general sense that all persons who are subject to our jurisdiction are citizens. There are two classes of citizenship. One is a citizenship by which we understand a man to be a voter. That right can only be acquired through legislation. But there is another citizenship, as to which the word is used in the same sense as is the term "subject" in monarchical countries.

If Senators will examine the reports they will see that the Supreme Court has decided that under our immigration laws the people of Porto Rico are not aliens, and I think, under the fourteenth amendment, they are clearly citizens of the United States in the broad general sense. If Senators will examine the case of Governor Boyd, of Nebraska, I think they will find the principles laid down in that case which will cover this case. There is such a thing as naturalization by the incorporation of one country as a part of another country. Where we incorporate a country and make it a part of our own we make the people of that country citizens of our own.

Having this view of the case, I regard the bill as perfectly harmless. I have not any doubt at all that if this matter should be brought before the court the people of Porto Rico would be deemed citizens of the United States in the general sense; not as voters, but as citizens in the same sense that the term "subject" is used in monarchical countries.

Mr. FORAKER. That is, the term "citizen" in the international sense is equivalent to the term "subject" in a monarchy, where they owe us allegiance and we owe them protection.

Mr. NELSON. In that sense they are citizens, but in respect to the right of suffrage that is a matter regulated wholly by local law.

The PRESIDENT pro tempore. The bill is still before the Senate as in Committee of the Whole, and open to amendment.

Mr. BEVERIDGE. I think the bill ought to go over, Mr. President.

Mr. FORAKER. I hope not. I want the bill to pass.

Mr. BEVERIDGE. If the Senator is anxious about it, I will withdraw my request. Otherwise I should like to have the bill go over, in order that I may have an opportunity to examine it.

The PRESIDENT pro tempore. No objection has been made, because no Senator has risen in his place to make an objection.

Mr. BEVERIDGE. Does the Chair rule that asking a Senator a question is speaking within the rule?

Mr. FORAKER. No; there is no objection to that.

The PRESIDENT pro tempore. The Senator from Ohio [Mr.

FORAKER] has exhausted his five minutes two or three times over. [Laughter.]

Mr. FORAKER. Very well.

Mr. BEVERIDGE. The Senator from Ohio has himself admitted that the bill makes the naturalization laws apply to Porto Rico.

Mr. FORAKER. Oh, no; I did not admit that.

Mr. BEVERIDGE. I think the RECORD will so show; and now he admits it does apply to the Philippines. It is a pretty broad division. I think that I shall have no objection, so far as I am concerned, to the bill; but however much has been said here, it is perfectly clear that Senators have had new thoughts suggested to them as the discussion of the matter has proceeded. If, however, the Senator from Ohio is anxious that the bill shall pass, I have no objection. Otherwise I should like the bill to go over.

Mr. LODGE. I have not spoken, I believe, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the Senator from Massachusetts.

Mr. LODGE. Mr. President, the title of the bill is faulty, but the bill itself is perfectly correct. There is no misunderstanding possible about it. The title simply needs to be made commensurate with the bill—that is all—and that can be done when that stage in the consideration of the bill is reached. The bill is not from my committee, but I sincerely hope it may pass, as it contains provisions which I am certain are extremely important to the welfare of the people of that island.

Mr. FORAKER. I will move an amendment to the title at the proper time.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

On motion of Mr. FORAKER, the title was amended so as to read: "A bill to amend the provisions of the naturalization laws of the United States, and for other purposes."

Mr. SPOONER. I move to reconsider the vote by which the bill has been passed, and I ask that my motion may go over until to-morrow.

The PRESIDENT pro tempore. The Senator from Wisconsin enters a motion to reconsider the vote by which the bill has been passed.

ALABAMA RIVER BRIDGE NEAR MONTGOMERY, ALA.

The bill (S. 2465) to authorize the Montgomery and Autauga Bridge Company to construct a bridge across the Alabama River near the city of Montgomery, Ala., was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with an amendment, to strike out all after the enacting clause and insert:

That the act approved March 3, 1901, entitled "An act to authorize the Montgomery and Autauga Bridge Company to construct a bridge across the Alabama River near the city of Montgomery, Ala.," which act has expired by limitation, be, and is hereby, revived and reenacted.

SEC. 2. That section 5 of the said act be amended so as to read as follows: "SEC. 5. That all street-railway companies desiring to use said bridge shall be allowed to do so upon paying a reasonable compensation for such use, and all telephone and telegraph companies shall be granted equal rights and privileges in the construction and operation of their lines across said bridge; and if actual construction of the bridge herein authorized shall not be commenced within one year and be completed within three years from March 3, 1904, the rights and privileges hereby granted shall cease and be determined."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to revive and amend an act entitled 'An act to authorize the Montgomery and Autauga Bridge Company to construct a bridge across the Alabama River near the city of Montgomery, Ala.'"

WYOMING STATE SOLDIERS AND SAILORS' HOME.

Mr. GALLINGER. I move that the Senate proceed to the consideration of executive business.

Mr. WARREN. Will the Senator withhold that motion for a moment?

Mr. GALLINGER. I will, with pleasure.

Mr. WARREN. I desire to ask unanimous consent for the consideration of a small bill, which will leave me under some embarrassment unless it is taken care of. There were two bills, identical in import, one referring to the State of Idaho and the other to Wyoming, which were reported from the Committee on Public Lands or ordered to be reported at the same time. Through an error—the Senator who made the report is not now present—one was placed on the Calendar far removed from the other. I should like to ask unanimous consent that at this time Senate bill 921 may be taken up and considered.

Mr. GALLINGER. I will yield for that purpose, but give notice that I will renew my motion for an executive session immediately after the bill shall have been disposed of.

Mr. WARREN. I ask unanimous consent for the present consideration of the bill (S. 921) granting to the State of Wyoming 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Wyoming State Soldiers and Sailors' Home.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It grants 50,000 acres of the unappropriated nonmineral public lands within the State of Wyoming to that State, to be selected by the proper authorities thereof, to aid in the continuation, enlargement, and maintenance of the Wyoming State Soldiers and Sailors' Home, but such portion of the granted lands as may not be found necessary for the purpose specified shall be applied to the support of such public, benevolent, reformatory, or other educational institution as the legislature of the State may designate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. GALLINGER. I now renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour spent in executive session the doors were reopened, and (at 4 o'clock and 50 minutes p. m.) the Senate adjourned until to-morrow, Thursday, January 28, 1904, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 27, 1904.

COLLECTORS OF CUSTOMS.

George F. Bartlett, of Massachusetts, to be collector of customs for the district of New Bedford, in the State of Massachusetts. (Reappointment.)

James Brady, of Massachusetts, to be collector of customs for the district of Fall River, in the State of Massachusetts. (Reappointment.)

Obed G. Smith, of Massachusetts, to be collector of customs for the district of Nantucket, in the State of Massachusetts. (Reappointment.)

APPRAISER OF MERCHANDISE.

John Linzee Snelling to be appraiser of merchandise in the district of Boston and Charlestown, in the State of Massachusetts, vice Alfred W. Brown. (Resigned.)

PROMOTIONS IN THE ARMY OF THE UNITED STATES.

QUARTERMASTER'S DEPARTMENT.

To be assistant quartermaster-general with the rank of colonel.

Lieut. Col. George E. Pond, deputy quartermaster-general, January 20, 1904, vice Hathaway, appointed brigadier-general.

To be deputy quartermasters-general with the rank of lieutenant-colonel.

Maj. William W. Robinson, jr., quartermaster, January 20, 1904, vice Pond, promoted.

Maj. Medad C. Martin, quartermaster, January 22, 1904, vice True, appointed brigadier-general.

PAY DEPARTMENT.

To be assistant paymaster-general with the rank of colonel.

Lieut. Col. Charles H. Whipple, deputy paymaster-general, January 25, 1904, vice Dodge, appointed Paymaster-General.

To be deputy paymasters-general with the rank of lieutenant-colonel.

Maj. John C. Muhlenberg, paymaster, January 23, 1904, vice Dodge, promoted.

Maj. George R. Smith, paymaster, January 25, 1904, vice Whipple, promoted.

To be paymaster with the rank of major.

Capt. William G. Gambrell, paymaster, January 23, 1904, vice Muhlenberg, promoted.

CORPS OF ENGINEERS.

To be colonel.

Lieut. Col. Charles W. Raymond, Corps of Engineers, January 23, 1904, vice Mackenzie, appointed Chief of Engineers.

To be lieutenant-colonels.

Maj. Charles F. Powell, Corps of Engineers, January 22, 1904, vice Allen, appointed brigadier-general.

Maj. John G. D. Knight, Corps of Engineers, January 23, 1904, vice Raymond, promoted.

To be majors.

Capt. James C. Sanford, Corps of Engineers, January 22, 1904, vice Powell, promoted.

Capt. Hiram M. Chittenden, Corps of Engineers, January 23, 1904, vice Knight, promoted.

To be captains.

First Lieut. Edward H. Schulz, Corps of Engineers, January 22, 1904, vice Sanford, promoted.

First Lieut. Harry Burgess, Corps of Engineers, January 23, 1904, vice Chittenden, promoted.

To be first lieutenants.

Second Lieut. William G. Caples, Corps of Engineers, January 22, 1904, vice Schulz, promoted.

Second Lieut. Henry C. Jewett, Corps of Engineers, January 23, 1904, vice Burgess, promoted.

ORDNANCE DEPARTMENT.

To be colonels.

Lieut. Col. John E. Greer, Ordnance Department, January 19, 1904, vice Mordecai, appointed brigadier-general.

Lieut. Col. John Pitman, Ordnance Department, January 21, 1904, vice Butler, appointed brigadier-general.

To be lieutenant-colonels.

Maj. Daniel M. Taylor, Ordnance Department, January 19, 1904, vice Greer, promoted.

Maj. David A. Lyle, Ordnance Department, January 21, 1904, vice Pitman, promoted.

To be major.

Capt. J. Walker Benét, Ordnance Department, January 19, 1904, vice Taylor, promoted.

To be captain.

First Lieut. Edward P. O'Hern, Ordnance Department, January 19, 1904, vice Benét, promoted.

ARTILLERY CORPS.

To be colonels.

Lieut. Col. Frank Thorp, Artillery Corps, January 21, 1904, vice Taylor, appointed brigadier-general.

Lieut. Col. Louis V. Caziarc, Artillery Corps, January 23, 1904, vice Story, appointed chief of artillery.

To be lieutenant-colonels.

Maj. Oliver E. Wood, Artillery Corps, January 21, 1904, vice Thorp, promoted.

Maj. Edward Davis, Artillery Corps, assistant adjutant-general, January 23, 1904, vice Caziarc, promoted.

To be major.

Capt. David Price, Artillery Corps, January 21, 1904, vice Wood, promoted.

INFANTRY ARM.

To be colonels.

Lieut. Col. George A. Cornish, Twenty-sixth Infantry, January 20, 1904, vice Haskell, Third Infantry, appointed brigadier-general.

Lieut. Col. Charles A. Williams, United States Infantry, inspector-general, January 23, 1904, vice Kline, Twenty-first Infantry, appointed brigadier-general.

Lieut. Col. Marion P. Maus, Twenty-second Infantry, January 24, 1904, vice McCaskey, Twentieth Infantry, appointed brigadier-general.

Lieut. Col. Frederick A. Smith, United States Infantry, inspector-general, January 24, 1904, vice Dougherty, Eighth Infantry, appointed brigadier-general.

To be lieutenant-colonels.

Maj. William Paulding, Eighteenth Infantry, January 20, 1904, vice Cornish, Twenty-sixth Infantry, promoted.

Maj. Lorenzo W. Cooke, Twenty-sixth Infantry, January 24, 1904, vice Maus, Twenty-second Infantry, promoted.

POSTMASTERS.

CALIFORNIA.

Lucetta Wood to be postmaster at Point Richmond, in the county of Contra Costa and State of California. Office became Presidential April 1, 1903.

IDAHO.

John Larson to be postmaster at Hope, in the county of Kootenai and State of Idaho. Office became Presidential January 1, 1904.

ILLINOIS.

Daniel McArthur to be postmaster at Glencoe, in the county of Cook and State of Illinois. Office became Presidential April 1, 1903.

INDIANA.

John G. Lowry to be postmaster at Montezuma, in the county of Parke and State of Indiana. Office became Presidential January 1, 1904.

KANSAS.

June B. Smith to be postmaster at Cottonwood Falls, in the county of Chase and State of Kansas, in place of William Norton, resigned.

MARYLAND.

Samuel Hambleton to be postmaster at Rising Sun, in the county of Cecil and State of Maryland, in place of Samuel Hambleton. Incumbent's commission expired January 17, 1904.

Walton C. Orrell to be postmaster at Centerville, in the county of Queen Anne and State of Maryland, in place of John E. Wilson. Incumbent's commission expired December 19, 1903.

MINNESOTA.

Ira C. Richardson to be postmaster at Thief River Falls, in the county of Red Lake and State of Minnesota, in place of Ira C. Richardson. Incumbent's commission expired January 23, 1904.

MISSISSIPPI.

William B. Martin to be postmaster at Indianola, in the county of Sunflower and State of Mississippi, in place of Minnie M. Cox. Incumbent's commission expired January 25, 1904.

MISSOURI.

Samuel R. Durham to be postmaster at Piedmont, in the county of Wayne and State of Missouri. Office became Presidential January 1, 1904.

Thomas L. Howden to be postmaster at Skidmore, in the county of Nodaway and State of Missouri. Office became Presidential January 1, 1904.

NEW HAMPSHIRE.

Frank S. Huckins to be postmaster at Ashland, in the county of Grafton and State of New Hampshire, in place of Frank S. Huckins. Incumbent's commission expires February 2, 1904.

NEW YORK.

Delano D. Cottrell to be postmaster at North Cohocton, in the county of Steuben and State of New York, in place of Delano D. Cottrell. Incumbent's commission expires February 2, 1904.

Charles H. Griffin to be postmaster at Oakfield, in the county of Genesee and State of New York, in place of Charles H. Griffin. Incumbent's commission expired January 18, 1904.

Henry P. Wilcox to be postmaster at Cohocton, in the county of Steuben and State of New York, in place of Henry P. Wilcox. Incumbent's commission expires February 2, 1904.

Peter H. Zimmerman to be postmaster at Wayland, in the county of Steuben and State of New York, in place of Peter H. Zimmerman. Incumbent's commission expires February 2, 1904.

NORTH CAROLINA.

William P. King to be postmaster at Windsor, in the county of Bertie and State of North Carolina. Office became Presidential January 1, 1904.

OHIO.

Lee L. Cassady to be postmaster at Dresden, in the county of Muskingum and State of Ohio, in place of Lee L. Cassady. Incumbent's commission expired December 19, 1903.

John C. Douglass to be postmaster at College Corner, in the county of Butler and State of Ohio. Office became Presidential January 1, 1904.

SOUTH DAKOTA.

John Longstaff to be postmaster at Huron, in the county of Beadle and State of South Dakota, in place of Charles N. Cooper. Incumbent's commission expired January 3, 1904.

Abram E. Van Camp to be postmaster at Highmore, in the county of Hyde and State of South Dakota. Office became Presidential January 1, 1904.

TEXAS.

Charles R. Bone to be postmaster at Beaumont, in the county of Jefferson and State of Texas, in place of Charles R. Bone. Incumbent's commission expired January 23, 1904.

Crockett Campbell to be postmaster at Lufkin, in the county of Angelina and State of Texas, in place of Joshua W. Shotwell. Incumbent's commission expired January 23, 1904.

Frankie Houssels to be postmaster at Childress, in the county of Childress and State of Texas, in place of Frankie Houssels. Incumbent's commission expired January 23, 1904.

B. M. Sheldon to be postmaster at Rockport, in the county of Aransas and State of Texas. Office became Presidential October 1, 1903.

WISCONSIN.

Dean J. Hotchkiss to be postmaster at Foxlake, in the county of Dodge and State of Wisconsin, in place of Moses E. Williams, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 27, 1904.

POSTMASTERS.

ALABAMA.

Charles Valentine to be postmaster at Clayton, in the county of Barbour and State of Alabama.

DELAWARE.

Charles C. Tomlinson to be postmaster at Delmar, in the county of Sussex and State of Delaware.

ILLINOIS.

Joseph H. Hunt to be postmaster at Byron, in the county of Ogle and State of Illinois.

William A. McKnight to be postmaster at Alexis, in the county of Warren and State of Illinois.

MICHIGAN.

Frank A. Peavey to be postmaster at Upton Works, in the county of St. Clair and State of Michigan.

MISSOURI.

John N. Bishop to be postmaster at Ironton, in the county of Iron and State of Missouri.

George E. Muns to be postmaster at Montgomery City, in the county of Montgomery and State of Missouri.

William C. Gardner to be postmaster at Billings, in the county of Christian and State of Missouri.

OHIO.

Harlow N. Aldrich to be postmaster at Elmore, in the county of Ottawa and State of Ohio.

TEXAS.

John B. Baker to be postmaster at Haskell, in the county of Haskell and State of Texas.

David W. Barnhill to be postmaster at Uvalde, in the county of Uvalde and State of Texas.

William H. Bradley to be postmaster at Groveton, in the county of Trinity and State of Texas.

Wesley J. Clarke to be postmaster at Dalhart, in the county of Dallam and State of Texas.

David Doole, jr., to be postmaster at Brady, in the county of McCulloch and State of Texas.

Carl E. Ericson to be postmaster at El Campo, in the county of Wharton and State of Texas.

Alice S. Farmer to be postmaster at De Leon, in the county of Comanche and State of Texas.

Henry C. Ford to be postmaster at Whitney, in the county of Hill and State of Texas.

James Gipson to be postmaster at Coleman, in the county of Coleman and State of Texas.

Andrew J. Harrison to be postmaster at Goldthwaite, in the county of Mills and State of Texas.

C. M. Hughs to be postmaster at Wharton, in the county of Wharton and State of Texas.

William C. Hurley to be postmaster at Sulphur Springs, in the county of Hopkins and State of Texas.

William H. King to be postmaster at Whitewright, in the county of Grayson and State of Texas.

Julius Laux to be postmaster at Flatonia, in the county of Fayette and State of Texas.

William N. Merritt to be postmaster at Nocona, in the county of Montague and State of Texas.

Orion L. Nicolls to be postmaster at Marfa, in the county of Presidio and State of Texas.

Frank H. Pierce to be postmaster at Laredo, in the county of Webb and State of Texas.

Clarence V. Rattan to be postmaster at Cooper, in the county of Delta and State of Texas.

Isham Russell to be postmaster at Winnsboro, in the county of Wood and State of Texas.

Joel B. Sharpe to be postmaster at Brownsville, in the county of Cameron and State of Texas.

Harper Simpson to be postmaster at Edna, in the county of Jackson and State of Texas.

John S. Snook to be postmaster at Caldwell, in the county of Burleson and State of Texas.

George H. Sparenberg to be postmaster at Big Spring, in the county of Howard and State of Texas.

Charlie B. Starkie to be postmaster at Holland, in the county of Bell and State of Texas.

George F. Taylor to be postmaster at Royse City, in the county of Rockwall and State of Texas.

WEST VIRGINIA.

James F. Strother to be postmaster at Welch, in the county of McDowell and State of West Virginia.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, January 27, 1904.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

CHANGE OF REFERENCE.

By unanimous consent, the Committee on War Claims was discharged from consideration of the bill (H. R. 9313) to pay all Federal soldiers honorably discharged \$3 per day while confined in Confederate military prisons thirty days or more; and the same was referred to the Committee on Invalid Pensions.

POSTAL CARS.

Mr. OVERSTREET. Mr. Speaker, I submit the following privileged report.

The Clerk read as follows:

Resolved, That the Postmaster-General be, and he is hereby, requested to furnish to the House of Representatives information showing the serial number of all postal cars for which the Post-Office Department is paying rental in addition to the amount paid for carrying the mails therein, the name of the railroad company owning the same, and the time of service of each car from date of original construction and first use, together with all changes of serial number of car and ownership.

The Clerk read the report, as follows:

The Committee on the Post-Office and Post-Roads, to which has been referred House resolution No. 121, calling upon the Postmaster-General for certain information relative to the service performed by railway post-office cars, has had the same under consideration, and begs to report the same to the House, and with the recommendation that as amended the same do pass.

Amend as follows: Strike out all of the preamble. Add after the word "ownership," in line 9, the following: "and the condition of said cars on June 30, 1903."

The SPEAKER. The question is on agreeing to the amendments.

The amendments were considered, and agreed to.

The resolution as amended was agreed to.

On motion of Mr. OVERSTREET, a motion to reconsider the last vote was laid on the table.

FLYING-MACHINE EXPERIMENTS AND CONSTRUCTION.

Mr. HEMENWAY. Mr. Speaker, I present the following privileged report from the Committee on Appropriations.

The Clerk read as follows:

Resolved, That the Secretary of War be, and he is hereby, requested to furnish the House of Representatives at his earliest convenience with a statement showing the amount of money disbursed by his Department in the promotion of flying-machine experiments and construction, whether under the direction of Prof. S. P. Langley or otherwise, together with the dates when said disbursements were made and funds from which they were drawn.

The SPEAKER. Has the gentleman from Indiana any motion to submit?

Mr. HEMENWAY. I move the adoption of the report and that the resolution lie on the table.

The SPEAKER. That is the first intimation the Chair has had of any motion to lay on the table. The gentleman from Indiana moves that the report lie on the table.

Mr. ROBINSON of Indiana. Mr. Speaker, I ask the gentleman to have the resolution again reported.

The SPEAKER. Without objection, the Clerk will again read the resolution.

The Clerk again reported the resolution.

The SPEAKER. Does the gentleman from Indiana desire to have the report read in his time?

Mr. HEMENWAY. I do.

The Clerk read as follows:

Mr. HEMENWAY, from the Committee on Appropriations, submitted the following report:

The Committee on Appropriations, to whom was referred House resolution No. 160, requesting the Secretary of War to furnish a statement of the amount of money disbursed by his Department in the promotion of flying-machine experiments and construction, together with the dates when said disbursements were made and funds from which they were drawn, report as follows:

Inasmuch as the information called for by the resolution is fully set forth on page 6 of the Thirteenth Report of the Board of Ordnance and Fortification, under date of October 1, 1903, the committee recommend that the resolution be laid upon the table.

Mr. HEMENWAY. Now, Mr. Speaker, I ask in my time that the law be read and then that the report of the Board of Ordnance and Fortification relating to this matter be also read.

The SPEAKER. The Clerk will read as requested.

The Clerk read as follows:

BOARD OF ORDNANCE AND FORTIFICATION.

To enable the Board to make all needful and proper purchases, experiments, and tests to ascertain, with a view to their utilization by the Government, the most effective guns, small arms, cartridges, projectiles, fuses, explosives, torpedoes, armor plates, and other implements and engines of war, and to purchase or cause to be manufactured, under authority of the Secretary of War, such guns, carriages, armor plates, and other war material as may, in the judgment of the Board, be necessary in the proper discharge of the duty devolved upon it by the act approved September 22, 1888; to pay the salary of the civilian member of the Board of Ordnance and Fortification provided by the act of February 24, 1891, and for the necessary traveling ex-

penses of said member when traveling on duty as contemplated in said act; for the payment of the necessary expenses of the Board, including a per diem allowance to each officer detailed to serve thereon, when employed on duty away from his permanent station, of \$2.50 a day; and for the test of experimental guns, carriages, and other devices procured in accordance with the recommendation of the Board of Ordnance and Fortification, \$100,000, the expenditure of which shall be made by the several bureaus of the War Department heretofore having jurisdiction of the same, or by the Board itself, as the Secretary of War may direct: *Provided*, That before any money shall be expended in the construction or test of any gun, gun carriage, ammunition, or implements under the supervision of the said Board, the Board shall be satisfied, after due inquiry, that the Government of the United States has a lawful right to use the inventions involved in the construction of such gun, gun carriage, ammunition, or implements, or that the construction or test is made at the request of a person either having such lawful right or authorized to convey the same to the Government.

That all material purchased under the foregoing provisions of this act shall be of American manufacture, except in cases when, in the judgment of the Secretary of War, it is to the manifest interest of the United States to make purchases in limited quantities abroad, which material shall be admitted free of duty.

The Clerk read the following from the Board of Ordnance and Fortification:

THE LANGLEY AERODROME.

Early in the year 1898 a board composed of officers of the Army and Navy was appointed to examine the models and principles of the aerodrome devised by Dr. S. P. Langley, Secretary of the Smithsonian Institution, and to report whether or not, in its opinion, a large machine of this design could be built; and if so, whether it would be of practical value.

The report of this board was referred to the Board of Ordnance and Fortification for action, and Doctor Langley was invited to appear before the Board and further explain the proposed construction.

In view of the great utility of such a device, if a practical success, the Board, on November 9, 1898, made an allotment of \$25,000 for the construction, development, and test of an aerodrome to be made under the direction of Doctor Langley, with the understanding that an additional allotment of the same amount would be made later. On December 18, 1899, the additional allotment of \$25,000 was made.

The construction of the machine was delayed by Doctor Langley's inability to procure a suitable motor, which he was finally obliged to design. The aerodrome was completed about July 15, 1903, and its test is in progress.

Mr. HEMENWAY. Mr. Speaker, in view of the fact that this report furnishes the information desired by the gentleman who introduced the resolution, the Committee on Appropriations recommend that the resolution lie on the table. Years ago there was great complaint that the citizens of the United States, who had some invention that they wanted tested by the Government, could not be recognized; that only army officers and those connected with the Government service had any chance of having their inventions tested. So a new board was created, known as the "Board of Ordnance and Fortification," and a civilian member ordered to that Board, Congress having in view that this civilian member would take care of the rights of the citizen who wanted to have matters tested. A hundred thousand dollars has been set aside each year for the purpose of these investigations. It is evident from the report that this Board first set aside \$25,000 for the purpose of investigating flying machines. Later they set aside \$25,000 more, the first \$25,000 having been expended. That is the history of it, and no doubt the Board acted within the law when they set aside that money for that investigation. Whether or not it was a proper thing to do of course is to be determined by this Board of Ordnance and Fortification. But, as all the information the Department has in regard to the matter is contained in this report, we see no reason why the resolution should not lie on the table.

Mr. HITCHCOCK. Will the gentleman permit me to ask him a question?

Mr. HEMENWAY. Yes.

Mr. HITCHCOCK. Does this \$50,000 which has been set aside from the funds appropriated for ordnance and fortifications represent all the expenditure of Government money for this flying-machine experiment?

Mr. HEMENWAY. It does.

Mr. HITCHCOCK. There has been no money taken from other funds?

Mr. HEMENWAY. I understand not. I don't think there is any fund available in the Government.

Mr. HITCHCOCK. Now, I am informed from the Smithsonian Institution itself, in an indirect way, that there is an additional \$23,000 of money which has been drawn from other funds after the exhaustion of either the first or second appropriation, and I would like to ask the gentleman what objection there can possibly be to getting the fullest information on this subject? This is a problem worse than the problem of Ann's age, and if it is going to cost us \$73,000 to construct a mud duck that will not fly 50 feet, how much is it going to cost to construct a real flying machine?

Mr. HEMENWAY. I want to say, leaving out any question about a mud duck, that the twenty-three or twenty-four thousand dollars that has been expended in addition to the Government money is money that in no way belongs to the Government. It is money that belongs to the Smithsonian Institution. When that Institution was founded, Mr. Smithsonian donated a large sum of money, and from time to time since that citizens of the United States have donated money to the Smithsonian Institution. That money is under the control of the Regents of the Institution. It

is not Government money in any sense and the Government has no control whatever over that money. Out of that fund, I understand, some \$23,000, or something in that neighborhood, has been expended on this flying machine.

Mr. HITCHCOCK. So that this \$23,000 that has been referred to is taken from the appropriation for curios?

Mr. HEMENWAY. It is not an appropriation. The gentleman ought to listen to my answer. It is not an appropriation at all. The Government has no control whatever over the money of the Smithsonian Institution. It is money that belongs to that Institution. It is simply private funds that belong to that Institution and that are controlled by the Regents of that Institution.

Mr. HITCHCOCK. To whom does that Institution belong?

Mr. HEMENWAY. It is the Smithsonian Institution, aided by the Government in many ways, but having a large fund of its own, which the Regents control themselves.

Mr. HITCHCOCK. It is an institution which belongs to the public, is it not?

Mr. GROSVENOR. No.

Mr. HEMENWAY. Oh, no; the Government aids the Smithsonian Institution in many ways.

Mr. HITCHCOCK. Is it a private institution?

Mr. HEMENWAY. They have a large fund that is purely a private fund, which has been donated to that institution by private individuals, and that the Government in no way controls except that we, I believe, have something to do with the appointment of the Regents of the Smithsonian Institution. I believe the House appoints three, and those three are now Mr. HITT of Illinois, Mr. ADAMS of Pennsylvania, and Mr. DINSMORE of Arkansas, Members of this body.

Mr. HITCHCOCK. I would like to ask the chairman of the committee whether a reasonable amount of time will be allowed to discuss this resolution under the rules? I should like to make a talk on this extravagance.

Mr. HEMENWAY. I will yield the gentleman five minutes' time, if he desires it.

Mr. ROBINSON of Indiana. I will ask the gentleman for ten minutes.

Mr. HEMENWAY. I yield to the gentleman from Nebraska [Mr. HITCHCOCK] for five minutes.

Mr. TAWNEY. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. TAWNEY. A parliamentary inquiry. I understand that this is a report that the resolution lie on the table. If it is, I make the point of order that a motion to lay on the table is not debatable.

The SPEAKER. That motion has not yet been entered. The resolution is reported back, and it would require a motion to be entered before a point of order would lie.

Mr. TAWNEY. I understood that the report of the committee was that the resolution do lie on the table, and that has been presented.

The SPEAKER. The report was read within the time of the gentleman from Indiana [Mr. HEMENWAY], no doubt, for the information of the House; but the reading of the report does not make the motion to lie upon the table. Now, the gentleman from Indiana [Mr. HEMENWAY] is recognized for an hour and has already addressed the House, and from his time yields to the gentleman from Nebraska [Mr. HITCHCOCK] five minutes. When the gentleman from Indiana or anybody else having the floor, with the right to make a motion to lie upon the table, makes that motion, then that motion is not debatable.

Mr. HEMENWAY. Mr. Speaker, I do not desire to make the motion until there can be reasonable debate. The gentleman from Nebraska ought to be heard.

The SPEAKER. The Chair recognizes the gentleman from Nebraska [Mr. HITCHCOCK].

Mr. HITCHCOCK. Mr. Speaker, I am unable to understand why a legitimate inquiry for information—detailed information—should be met by these various committees with an effort to keep the information from the House. If there is any possible evil which the newcomer in Washington discovers before he discovers any other, it is the overwhelming and tremendous extravagance of this Government. We are now expending of the people's money over \$2,000,000 a day. That is twice as much as was required for the Government expenditures twenty years ago. We are expending this vast sum of money in a time of absolute peace. We are approaching, as the chairman of the Committee on Appropriations [Mr. HEMENWAY] himself has said, a period in which the national finances will be involved in a large deficit. And yet any effort, however small, to curb extravagance and investigate ridiculous and unwarranted expenditures is met by the leaders on the Republican side of this House with an effort to cut it off and shield the extravagance.

I realize, Mr. Speaker, that Professor Langley, Curator of the Smithsonian Institution, is a learned man. He is erudite in scien-

tific matters. He knows a vast amount about extinct animals and stuffed birds. He is at home with the *Pterodactyl ornithostoma*, and for such reasons he has a valuable part in the work of the Institution. But I see no reason, and the taxpayers of the country can see no reason, Mr. Speaker, why at national expense he should be constituted and established a modern Darius Green. Certainly the traditional Darius Green met with no more complete failure in his attempted flight from the New England barn than this modern imitator at national expense has attained.

There is a reason, Mr. Speaker, for economy in our national finances which does not apply to expenditures in this country with the same force. It is because our national revenues are derived from the people not in proportion to their ability to pay, not in proportion to the benefits which they derive from this National Government, but practically on the basis of a per capita tax. The poor man with a family of ten persons pays much more national taxation than the wealthy bachelor. Our national laws lay no taxes on wealth. The great accumulations of wealth make no contributions to our national revenues.

Our national finances are organized altogether upon the theory of taxing the consumer. He bears the burden. Even the income tax, passed by a Democratic Congress, was killed by the Supreme Court.

This is the fact. It is a bad system. It puts the burdens of government on the people without any regard to their ability to pay. This being so, the least we can do is not to squander the money. This vast revenue taken from the people at the rate of \$2,000,000 a day should be regarded as a trust fund, and the chairman of the Committee on Appropriations owes it to the people to see that all these ridiculous fads and foibles, these experiments and wastes of public money, are checked and stopped. It is not the duty of the chairman of that committee, or any other chairman, when an inquiry is proposed seeking information as to how much is being expended, to interpose objections and obstacles. He refers to some vague and incomplete report which I have never seen and which was made last year, but not to this House nor in any detail. That report should come to this House, and we should know when and how much money was expended in this matter.

Now, Mr. Speaker, I realize that it is not possible to get this information if the chairman of the committee refuses to give us his aid. I realize my unpopular position in Washington. I realize fully that in coming here as an advocate of economy in national affairs I expose myself to attack. As the chairman of the Committee on the Post-Office and Post-Roads said yesterday, I "incur mere notoriety." I know that a demand for economy is not the path to popularity in Washington.

But I tell you gentlemen on the Republican side that in the next campaign, the campaign that we are approaching, you will find the Democratic party appealing to the people of the country on several vital issues. One of the most important and incontrovertible influences for Democratic success will be the charge that you have been running this Government into a degree of extravagance unheard of in the history of the world. Compared to other great nations of the world, you have made ours reckless and wasteful. You have squandered the people's money, and the party in power at the present time is charged with full responsibility. [Loud applause on the Democratic side.]

Mr. ROBINSON of Indiana. I ask the gentleman from Indiana [Mr. HEMENWAY] to yield me ten minutes.

Mr. HEMENWAY. I wish the gentleman would take his time when we come to the urgent deficiency bill.

Mr. ROBINSON of Indiana. It will not take any more time now, and I hope the gentleman will not interpose objection.

Mr. HEMENWAY. I should like to dispose of this matter and get to the urgent deficiency bill.

Mr. ROBINSON of Indiana. I think the gentleman recognizes that this is not going to precipitate any considerable debate. I think that my remarks will practically be all there is of discussion.

Mr. HEMENWAY. Well, I yield ten minutes to the gentleman.

Mr. ROBINSON of Indiana. Mr. Speaker, evidence is multiplying daily to show that every plan proposed for the expenditure of money, though it be fantastic and extravagant, receives support from some officer, bureau, or department, and we must design means to restrain impetuosity and curb this lavish waste. No extravagant scheme should be ventured on by a board or bureau till expressly sanctioned by Congress.

The chairman of the Committee on the Merchant Marine and Fisheries, Mr. GROSVENOR, of Ohio, in his recent report, said:

There is no legitimate expenditure possible within the wide scope of national jurisdiction that the American people do not rush lavishly into, even to the extent of promoting experiments in aerial navigation.

This, I think, is diplomatic censure of extravagance where found, and intended for the officers who represent and should stand for the people, and does not imply that the people approve it.

The gentleman stands afar off and points in the right direction

of the target and hits around its edges. He is a prominent actor in the shooting match and a friend of the proprietors of the show. Some of the owners are not vigilant, others are sleeping, but he hesitates to ring the gong to wake them up. I am a little closer than my friend, and will try to hit the bull's-eye if I can.

We should strike directly at that queer scheme of aerial navigation whereby a scientific promoter, encouraged by executive officers, if not by Congress, raised the high expectation of the public and his demands for money, only to have the venture fall flat and the money sunk at the first opportunity to test his apparatus. We should stay the hand of wasteful adventure and strike down such costly bubbles as Langley's air ships and air castles and rescue the innocent public from such dreams.

I would do the professor no injustice. I admit his ability and power, but I do not concede it in the field of aerial navigation, but in the domain of hypnotism, and to that stands as a shining mark his ability to get many thousands of dollars from officers not in the care of their friends, not under charges, in high official position, or from their subordinates, who should be men of sound business wisdom. Such he influenced in his aerodrome device, so visionary that to the ordinary mind it would seem that wisdom would have shown its futility.

Congress must protect itself or be charged with the folly. If Congress pass appropriation bills in general language and executive officers pursue this course, there is no protection against any Don Quixote extravagances that belong to the realms of fable or fiction.

In the language of the last fortification appropriation bill—and it was not broader or more limited than the act of September, 1888, creating the Board of Ordnance and Fortification, which spends this money—we provided for “investigations, experiments, and tests,” and used the words “other implements and engines of war.” Within these words is the only authority for this reckless expenditure. Is Langley's air ship an “implement” or “engine of war?” I think not. Did the experts think so? I would not so charge them. A regiment of them would not conquer the Fiji Islands, except, perhaps, by scaring their people to death.

Mr. HEMENWAY. Does the gentleman say that an effective air ship would not be an instrument of war?

Mr. ROBINSON of Indiana. I say that Langley's air ship is not an instrument of war.

Mr. HEMENWAY. Not Langley's air ship, but an effective air ship.

Mr. ROBINSON of Indiana. I am referring to this particular one.

Mr. HEMENWAY. If they could sail up over the enemy's camp and see what he had there in the way of men and fortifications, and ascertain all about him, and still be out of danger themselves, that would be an instrument of war that would be more valuable and more formidable than any that the world has ever yet seen.

Mr. ROBINSON of Indiana. I am sure that the gentleman will never see any such thing done by Langley's air ship. We must stop this or some bureau under the guide of some professor will be projecting a railroad to the moon.

If we do not, who can tell how soon some one will influence some Department to test the principle of erecting buildings beginning with the roof, with no foundation; who knows how soon some scientist will be promoting with Government aid a plan to feed spiders on glue and bluebottle flies to make it weave a fabric of strength and color; who knows but that some dreamer will be encouraged to test the efficacy of hermetically sealing up hot air in bottles in summer to let it loose in cold, inclement weather?

We should frame our appropriation bills so that unsuspecting Government officials susceptible to hypnotic influence of scientific dreamers may not be led away. Give them a Congressional jolt to awaken them from the spell cast by impractical scientific enthusiasts, to disenchant them, to the end that the public shall be protected, that the Government pay roll shall not open to dreamers, and to emphasize that official position is not a “private snap,” that the avenues to the Treasury shall not open to scientific explorers or exploiters either of the earth or heavens, except as the public needs require it.

Is the Board of Ordnance and Fortification by its adventures to become known as holding out invitation to those who honestly believe that the world owes them a living and who can not make connection to get it outside of Government shelter? This Board is a creation of Congress sixteen years old. It has been fed by blanket appropriations. We are warned to be specific.

What became of Langley's air-ship plan that cost so much money? It was referred to the Board and the public knows the result.

At the breaking out of the Spanish war a gentleman wrote to me that he had an idea that he thought humanitarian and that would tend to shorten hostilities. He had great confidence in the War Department, but he was desirous of securing credit if his

plan was adopted. It was for our soldiers to carry with them metal plates, highly polished, or mirrors, and reflect the sun in the eyes of the enemy on the firing line.

I did not at that time know that this Board was investigating these subjects, and I responded to him that I had perfect confidence in the War Department, as he could have. I never heard that his matter was a subject of investigation or expense; but I make no complaint, not even though there may have been a discrimination in favor of Langley's project.

I have no disposition to criticize Professor Langley or his scientific theory, except in the manner he scored every other plan of aerial navigation. He was caustic and unsparing. What became of the pet hobby of the scientific specialist? He fitted up his ship with great secrecy, and withal elaborately and at great expense; it was well oiled and polished; in all its appointments it was delicately balanced; in all its mechanism it was measured to the scientific scale; it was prepared for flight, resting on terra firma on an ark of safety, head forward, and overlooking the Potomac River; external force was applied to give it momentum, and it started on its flight in the air over the river; it flew 2 or 3 inches beyond its base (there is some dispute as to the distance), and leaving its firm base it gravitated straight down to the earth in the bottom of the river.

There it lay, a jumble of tangled wreckage; a tangled mass that looked like old scrap iron; a mixed assortment of wings and tails and fans; a tangled mass of scientific destruction, swept by the sleepy tide of the Potomac, resting in its watery grave, a monument to Langley and of administrative folly. This fruit of “investigation, experiments, and tests” of “implements and engines of war” did not have the virtue of a flying machine invented centuries ago. When the promoter of that took his position on a promontory over a river and jumped off, flopping his wings, he fell into the water, but it was found that the wings that would not sustain him in the air saved him from drowning when he reached the river.

Langley's last and final collapse almost resulted in the death of Mr. Manly, and this misfortune was only averted by the vigilant newspaper correspondents, who had waited so long in their boats for the final test that, according to the press accounts, their beards had grown long and shaggy.

This was the end of the scientific exploration, but the absurd development of this impractical theory had been going on for years, and was on the Government pay roll, wasting thousands of dollars in salary fund and for experimentation. Obstacles, failure, and collapse only seemed to sharpen the appetite for more money.

Is it not time for Congressional dissent? The last army fortification bill, following former acts, provided “that before any money shall be expended in the construction or test of * * * implements * * * the board shall be satisfied after due inquiry that the Government of the United States has a lawful right to use the inventions.” Did the War Department think that this was an invention? Charity forbids that thought.

The published accounts state that all devices claimed as inventions are not necessarily such; that the Patent Office drew the line on a freak invention claimed, and refused a patent to one who claimed the priority of right in the scheme of drawing a chalk line around a molasses barrel to keep ants from walking up.

What we are interested in now is, who is responsible for this folly? Is Congress? Will not some Member having the appropriation bill in hand tell us? Can he not make it clear that Congress never authorized the propagation of such vagaries by showing that it was a misconception or a violent abuse of discretion that caused it? This must be done or Congress stands charged with the abuse.

One good will come from investigation and explanation. It will open light on how far Congress has been misled, how far misconception of our acts and appropriations have obtained in this and other Departments of the Government. I think we can clear our skirts and show that the offices and bureaus and Departments alone are responsible, and we should be swift to apply the remedy.

Mr. HEMENWAY. Mr. Speaker, the question before the House is on the resolution of the gentleman from Nebraska [Mr. HIRCHCOCK]. His resolution requests certain information. The Committee on Appropriations report back the resolution with the recommendation that it lie on the table, for the reason that the information requested by him is given in a report which has been read at the Clerk's desk and given exactly, showing that so much money has been set aside by the Board of Ordnance and Fortification for this purpose; that \$25,000 was first set aside; that that sum has been expended; that \$25,000 more was set aside, and that that sum has been partially expended.

It further develops that from the funds of the Smithsonian Institution some \$23,000 has been expended. So that gives the information that the gentleman from Nebraska sought to secure, and there is no occasion for the resolution being sent to any of the

Departments of the Government, and no reason why the resolution should not lie upon the table.

Now as to the merits. If you read the records of Congress you will find that years ago, between 6 o'clock and 12 o'clock one night, when it was said that a telegraph line could be constructed, and that we could send messages by wire from here to Baltimore, many men in this House got up and laughed at the idea and said it was a ridiculous waste of public money to appropriate anything for that purpose. Yet the appropriation was made, and we not only send telegrams by wire to Baltimore but we can send them all over the world.

When the telephone was proposed they said you could not talk from here to some one in New York; yet they are talking to-day from New York to Nebraska through the telephone. When investigations of this kind are being made we always find gentlemen who come here and say these things are impossible.

The sole question before the House now is to secure the information requested by the gentleman in his resolution. That information has been furnished and placed before the House. That is all we are determining on this vote. It is not a question whether money ought or ought not to be expended for flying machines. That question is not here.

The sole question is, Has the information requested by the resolution been furnished? It has been furnished in the report that has been read to the House, and there is nothing else to do with the resolution but to lay it on the table. Therefore I move, Mr. Speaker, that the resolution of the gentleman from Nebraska be laid on the table.

Mr. HITCHCOCK. I would like to ask the gentleman a question.

Mr. HEMENWAY. I do not care to yield now. The gentleman has had his time.

The SPEAKER. The gentleman from Indiana moves to lay the resolution on the table.

The question was taken, and the resolution was ordered to lie on the table.

URGENT DEFICIENCY BILL.

Mr. HEMENWAY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the urgent deficiency bill.

The SPEAKER. The gentleman from Indiana moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 10954.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. TAWNEY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10954.

Mr. HEMENWAY. Mr. Chairman, I yield twenty minutes to my colleague on the committee [Mr. BURKETT].

Mr. BURKETT. Mr. Chairman, on last evening we all went home late to dinner. The Journal, as just read, shows that we did not adjourn until 5.47. We remained here, all of us, long after the usual hour of adjournment, weary as we were and hungry, listening to the gentleman from Mississippi [Mr. WILLIAMS], the distinguished leader of the Democracy of the House and the leader of the Democratic party of the United States.

You upon that side of the aisle were anxious to hear what was to be inscribed upon your banner in the coming campaign, anxiously longing that he might drop out some keynote and give to you perhaps the paramount issue, as it were, and with it some hope for the campaign before you. We upon this side of the House were anxious to know what excuse there might be for the longer existence of the Democratic party.

I want to say, in beginning, to our Democratic friends that I have always had a good deal of deference for a Democrat, individually speaking; I have always believed that a Democrat was as honest and as courageous and as patriotic as anybody else. I have always conceded to the Democrats, individually, that they were just as devoted to humanity, their flag, and their country as anybody else; but I have always believed, as I believe to-day, and my belief grows stronger every time I hear a speech on that side of the House, that the Democratic party is absolutely wrong upon every question of government in this country; and from all I can observe there is no hope for anything better from it in the future.

Now, the discussion yesterday suggested to me to make a few remarks, and I may say that I had not asked for any time and did not expect until last night, in fact, that I should speak.

The gentleman from Illinois [Mr. BOUTELL] asked the gentleman from Mississippi, the leader of the Democratic party, the direct question: "Are you or are you not in favor of the free coin-

age of silver?" It should have required but one word to answer. The gentleman from Mississippi said he would answer frankly, and then he took fourteen minutes and thirty-seven seconds of time to do it [laughter], and said what will be a column of the RECORD in that "frank expression" of his position. And when he got through there was not a man in the House who knew any better than he did when he began where he stood and where the Democratic party was going to stand on the free coinage of silver, and the RECORD will show that there was loud applause on the Democratic side of the House. [Laughter.]

Now, let me say to the Democratic party: Do any of you know where you stand upon the silver question? Do you know where you stand upon the revenue question of this country—whether you are going to be for free trade or for revenue tariff or for a moderate reduction of the present tariff system? I will tell you when you will answer that question directly—after the convention meets at St. Louis on the 6th day of next July. Then we will all know where the Democratic party will stand so far as this campaign is concerned—when you find out whether my distinguished constituent from Nebraska is going to lead the hosts of the Democracy and control that convention or whether the reorganizers of your party are going to control and repudiate everything you have stood for in past campaigns.

Mr. THAYER. We understand what we are doing now.

Mr. BURKETT. I undertake to say that there is not a Democrat in the House who knows whether he is going to talk for free silver or for the gold standard after the coming St. Louis convention. There is not one of you that knows whether you will talk for free trade or for revenue tariff or whether in accord with the doctrines of a distinguished gentleman from the State of Maryland, who says, I believe, that the Democratic party only wants to revise in a very limited degree the present revenue system.

Mr. BENNY. Will the gentleman allow me to ask him a question?

The CHAIRMAN. Does the gentleman yield to the gentleman from New Jersey?

Mr. BURKETT. I do.

Mr. BENNY. Did the Republican party in 1896 know where it was going to stand on that question until it was told by TOM PLATT, who told them after the convention was assembled?

Mr. BURKETT. I do not know what the gentleman knew about what TOM PLATT told the convention of 1896; so far as the gentleman who is talking is concerned he knew very well where he would stand and where the Republican party of Nebraska would stand a good many months before the convention of 1896. [Applause.] I will say to the gentleman that the Republican party of Nebraska had crossed that bridge so far as they and their platform were concerned many weeks ahead of the suggested direction of THOMAS PLATT, of New York, or of any other gentleman.

Mr. BAKER. Will the gentleman yield to another question?

Mr. BURKETT. Yes.

Mr. BAKER. Do I understand the gentleman to say now that the Republican party in the next campaign is going to declare for a vigorous criminal prosecution of the officials of the trusts which have violated the Sherman antitrust law?

Mr. BURKETT. I will say to the gentleman that nobody ever doubts, as I will undertake to show before I get through, where the Republican party stands at all times on all questions, and let me say further to the gentleman that every law that was ever put upon the statute books of the United States for the suppression of capitalistic greed was placed there by the Republican party against the combined opposition of Democracy. [Applause.] And further let me say that every single law that has ever been enforced has been enforced by the Republican Administrations of this country.

Mr. SMITH of Kentucky. Will the gentleman permit me a question?

Mr. BURKETT. Certainly.

Mr. SMITH of Kentucky. I have heard the statement made so repeatedly that what is known as the Sherman antitrust law is a production of the Republican party that I want to ask the gentleman from Nebraska if it is not a fact that in the United States Senate, when that issue was pending before that body, the distinguished Senator from Wisconsin, Mr. SPOONER, declared that Senator Vest, of Missouri, had more to do with the framing of that act than any other one man in either branch of Congress?

Mr. BURKETT. Let me say to the gentleman now I do not know what that has got to do with my speech or what that has got to do—

Mr. SMITH of Kentucky. The gentleman from Nebraska is claiming all the credit for the Republican party for antitrust legislation. That's what it has to do with it.

Mr. COCHRAN. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Nebraska yield to the gentleman from Missouri?

Mr. BURKETT. I would like to get through with one of these men at a time.

Mr. COCHRAN. The gentleman looked so complacent that I thought he had got through with the whole earth.

Mr. BURKETT. Go ahead, then, and ask your question.

Mr. COCHRAN. You say the Nebraska Republicans had solved the financial problem and had taken their position in favor of the gold standard long before the convention—

Mr. BURKETT. Before the St. Louis convention.

Mr. COCHRAN. Was that about the time the late President McKinley made his famous swing around the circle and made silver speeches all over Ohio—

Mr. BURKETT. I did not hear him in Ohio, but Major McKinley made no silver speeches in Nebraska.

Mr. COCHRAN. You only know what took place in Nebraska?

Mr. BURKETT. Let me say to the gentleman I have read every speech of his that the Democratic party circulated in the campaign of 1896, and I defy anybody on the Democratic side to get up and say that President McKinley ever advocated the unlimited free coinage of silver in the sense that the Democratic party did in that campaign, or that Blaine did, or any of the rest of the list of great statesmen whose speeches you circulated in your effort to show that they at some time had stood for free silver.

Mr. COCHRAN. But did they advocate the gold standard prior to 1896?

Mr. BURKETT. There was no particular contest on that subject prior to 1896.

Mr. COCHRAN. Did you ever hear of any political party in this country framing a platform declaring in favor of the gold standard prior to 1896?

Mr. BURKETT. Let me say to the gentleman from Missouri that that is a question that has been thrust at us a good many times. I have heard you upon that side say a good many times that the Republican party was the first party that ever dared to advocate the "pernicious gold standard." Let me say to the gentleman, I thank God it was.

The Republican party has been the first party that has dared to advocate a good many things in this country against the opposition of Democracy. The Republican party was the first party that ever dared to say 4,000,000 black men should no longer be slaves in this country, and that they would go to war, if necessary, to carry out that position.

The Republican party was the first party that ever dared to advocate cheap postage in this country and free homesteads. They were the first who dared to advocate the resumption of specie payment, and we have had them all because the Republican party had the nerve to declare for them. All along the line the history of the Republican party shows that it has been the party that has taken the lead in the progress, the development, and the upbuilding of this country against the opposition of the Democracy of the United States. [Applause on the Republican side.]

Mr. COCHRAN. The gentleman has had fourteen minutes and thirty-seven seconds, and he has not answered at all. [Laughter.] I ask you the question again: Is it not true that every party, Republicans, Democrats, Populists, Greenbackers, Prohibitionists, and every political party in this country prior to 1896, had made solemn declarations in favor of the coinage of silver?

Mr. BURKETT. The Republican party never, in any platform, in any convention, either State or national or county, so far as I know, not even in Missouri, advocated the free and unlimited coinage of silver.

Mr. COCHRAN. In 1892 did not the platform adopted at Minneapolis merely becloud the subject and carry the impression that it was in favor of it, and did not the orators on the stump claim that they were more in favor of silver coinage than the Democrats?

Mr. BURKETT. So far as the records of the parties go, the Republican platform was almost as clear as the platform of the Democratic party. The gentleman must recognize this, that in the campaign of 1892 neither your party nor the Republican party made any issue at all upon the money question. You went before the country on an entirely different issue. The question was not raised, and perhaps not one man in ten heard the money question spoken of in 1892.

Mr. COCHRAN. Did not whole State delegations—notably the California delegation—go to St. Louis on a special train, bearing on it a pledge of the party to the unlimited coinage of silver and gold?

Mr. BURKETT. That I do not know, for I did not see the train.

Mr. COCHRAN. Now, then—

Mr. THAYER rose.

Mr. BURKETT. Mr. Chairman, in view of the fact that there are so many wanting to interrupt me, and they can not determine among themselves who shall be recognized, I decline to yield further.

Mr. THAYER. The question that I want to ask the gentleman, and the question to which I think the country wants an answer, is, Do you propose to go back to 1896 for your issues, or do you propose to face the conditions of 1904?

Mr. BURKETT. Let me say to the gentleman from Massachusetts that the Republican party never looks backward upon any question at any time or on anything. [Applause on Republican side.] The Republican party will keep its face to the front. It will handle the issues in the campaign of 1904, as it has handled them in the past, for the best interests of all the people of the whole country.

Now, let me go on, for I do not know but that my speech may be "deflected," to use the term of the gentleman from Mississippi. I will say in response to the gentleman from Massachusetts that there is no probability of our discussing 1896 issues this year. The Democratic party never stood still that long upon any question. You will have to have a different issue than you have ever had before if you expect to establish yourselves in the confidence of the American people. And I do not blame the gentleman for wanting to get away from 1896.

Now, this calls to my mind the fact that every four years, and sometimes oftener in the past, our Democratic friends have had to change their paramount issue and have a new excuse for existing longer as a party.

We Republicans are never in that unfortunate condition. Our positions and our policies are enduring.

I remember the first time I ran for Congress, in 1898, the paramount issue of your party out in my district was the McCleary bill. I do not know whether any of you had to run up against it or not. Probably it was a good bill, for it bore the name of my distinguished colleague and coworker in the committee from Minnesota. I never happened to hear particularly about that bill until some gentleman came from the East and declared it was the paramount issue. For sixty days we had to go over the district talking about the McCleary bill, and nobody has ever heard of it since. In 1896 the paramount issue of the Democratic party was "the free and unlimited coinage of silver at the ratio of 16 to 1, without the aid or consent of any other nation on earth." There is not one of you who can say that as smoothly as I did.

You have not tried it since 1896, yet in 1896 every Democrat of you was authority on 16 to 1. You went out of that convention in Chicago, every mother's son of you, and you got a piece of white metal sixteen times as big as a piece of brass, and you hung it on your coat lapel and strutted up and down the streets and the lanes of this country swearing you stood for 16 to 1 or bust, and every one of you busted. [Laughter on the Republican side.]

Now, let us go back further, as the gentleman from Missouri [Mr. COCHRAN] said, to 1892. Your paramount issue then was free trade. When Garfield was the candidate, it was the force bill. When Hayes was the candidate you said if he was elected he was going to turn the temples of liberty over into the hands of the money changers, or something of that kind. When Grant was a candidate it was militarism, and when Lincoln was a candidate it was imperialism. Every four years you have had a new paramount issue.

Now, this is the question that confronts us, and it confronts the people, and that embarrasses the Democracy of the country. Why is it that every four years you have not only got to have a paramount issue, a new excuse for nominating candidates, but in no two successive campaigns have you ever dared to take the same position that you took in the previous campaign upon any question?

Now let us go back, if the gentleman from Missouri [Mr. COCHRAN] will, to that campaign of 1896 and see why and whither comes these divers and sundry paramount issues. When that convention met in Chicago in 1896 there was not a Democrat here that had any idea that they could nominate a candidate for President with any hope of electing him. We had had four years of Democracy in this country, four years of free trade. We had had four years of the hardest times that the American people had ever gone through, and I pray God that we will never be called upon to go through four more such years as we went through from 1892 to 1896. When your convention met in 1896 not one of you thought it was worth while to nominate a candidate for President. From that convention came forth the proposition of the free and unlimited coinage of silver at the ratio of 16 to 1, etc. You went before the people, and I must say you made considerable stir.

Now, I am going to make a confession. I never wonder why so many people voted for free silver when I think of the conditions of those times and the environments. There are three things in connection with that campaign of 1896 that, when I think of them, I never wonder why so many people voted for free silver. When I think of the conditions of those times, when I think of the abuse that a man had to go through in 1896 if he advocated the gold standard, and, further, when I think of the prophecies and the predictions and the promises that your party made in 1896, every single one of which you would be ashamed to make

to-day, I do not wonder that so many people were misled in the campaign as there were, and let me say right now in the beginning that of all the speeches that you all made there is not one of you that dares stand up on the floor to-day and make the speech as you made it in 1896.

There is not one of you who will dare to stand up in this House or stand up on a platform before enlightened American citizens in all the length and breadth of this land and make the arguments and prophecies and promises and predictions that you made in 1896. Think of the conditions of those times. You remember how hard times were. You know of the want and hunger and idleness of those four dark years. I remember that old story that had not been used, as campaigners told me, since Buchanan's time, but which was gotten out and used at that time—that old story of a man shearing his sheep. I think the story must have come from Missouri or from Ohio, because we did not have any sheep out our way at that early day. This man said that when he thought how low the price of sheep was and how cheap wool was he never dared shear a sheep in those Democratic days in the old accustomed way, by shearing it from the head toward the tail; but he grabbed the sheep by the tail and sheared him toward his head, because he was ashamed to look a sheep in the face. [Laughter.]

I remember the great armies of American laboring men all over this country that were marching on to Washington. I was not here at the time, but I remember the great armies under Kelley and Coxey and their captains and colonels and lieutenants that gathered from all over this country and marched on to Washington. They came from the Rocky Mountains and the Alleghenies, from the North and South. They passed through the town I live in, as they passed through the towns that every one of you lives in. They came here to Washington, and some people called them hoboes. But they were not. They were loyal, patriotic, and industrious American citizens, who with all their brain and all their brawn and muscle could not find work enough to do in this country to employ their hands with which to furnish the necessities of life for the wives and children they had sworn to protect at home. They came here to Washington. They never asked Uncle Sam for a dollar, not one. What was it they asked? What was their petition? It was this:

"Uncle Sam, here we are, your children, 3,000,000 of us, idle American laboring men, who are walking the streets by day in search of work and are following our shadows home at night to a crust of bread and a pallet of straw. Here we are, Uncle Sam.

"We want you—the United States Government—to undertake some great public work; we want you to dig canals, to build highways; we want you to do something or other that will give our idle hands employment."

[Here the hammer fell.]

Mr. HEMENWAY. I yield the gentleman sufficient additional time to continue his remarks.

Mr. BURKETT. I am sorry I have overrun my time; but it was not altogether my fault. I did not seem to be able to control that matter.

That was the condition that confronted the people at that time—in 1896.

Another thing. A man could not advocate the gold standard in 1896 without being abused. It took nerve to be a Republican in 1896. You could not go down the streets of this town or the different towns in your districts throughout the length and breadth of the land without being abused; without being called a "Hannacrat," a "goldbug," without being accused of trying to get your feet on the neck of the "poor, helpless people," as they said, and stamp the life right out of them. It took nerve in 1896 to be a Republican as was never before required of men in civil affairs.

One other thing in passing. I do not know that I have the ammunition here to-day for all that I should like to say, but the trend that the earlier part of this debate has taken leads me to go into this point. You remember that in 1896 you people went into the field of prophecy; you prophesied what was going to happen. You said that if the people did not vote for the free and unlimited coinage of silver terrible things would happen. Now, there is not one of you who to-day would stand up before an intelligent audience and say those same things over again.

I have not here all the matter to which I should like to refer, but fortunately I happen to have at hand some memoranda showing some of the things which were said at that time by your great, peerless leader, and I am going to read some of these things. As I read them I want to see whether any of you will stand up and affirm that any of the dreadful things that were then predicted to happen have occurred in any alarming extent.

Soon after the campaign of 1896 was over Mr. Bryan wrote a book, and he collected together in that book the speeches he had made in that hippodrome chase over the country for election to the Presidency. The book has his name on the title page, so we may be sure that it is authoritative as to what he said.

I have not that book here. If I had known the turn which this debate would take, I would have brought here the original document. But I have here, luckily, some extracts from that publication of Mr. Bryan, and I have the pages noted, so that the quotations which I make may readily be verified. I repeat, as I read these predictions, if any of you are ready to say that any of these predictions have proved correct, I should be glad to have you stand up and say so. When Mr. Bryan was saying these things in that campaign, every one of you were repeating them; every one of you insisted that what he said was true; every one of you was ready to bow down at his altar and worship.

Among the things which Mr. Bryan said, and which I ask you now particularly to notice, was this:

If you elect the gold-standard candidate, it will increase the purchasing power of a dollar and make falling prices.

It will increase the debts of the people, lessen ability to pay debts, make hard times.

In another speech he said:

If you elect the gold-standard candidate, it will starve everybody but the money changers.

The gentleman from Mississippi [Mr. WILLIAMS], in his remarks yesterday not only continued in that same miserable strain of prophecy but he said, if I remember rightly—unfortunately for me his speech is not in the RECORD, but if I misquote him he will be good enough to say so—he said the Republican party was now continuing the process as it had in the past, continuing more and more to starve the people of this country.

Now, as I heard the gentleman from Mississippi say that, I remembered the statement of Mr. Bryan four years ago—the statement which he then proclaimed all over this country. Now, either it was not true, as Mr. Bryan said, that if the people elected the gold-standard candidate they would starve everybody but the money changers, or else all the people of this country have become money changers; for our people, all of them, all classes and everywhere, are the slickest, fattest, most prosperous people of all the world and of all times.

Now, I quote from page 485 of this book:

If you elect the gold-standard candidate it will take the bread out of one man's mouth and put it into another man's mouth.

Think of it! What a pathetic thing! A regular surgical operation! [Laughter.] Do you wonder that so many people voted for Mr. Bryan in 1896, when you recall the predictions and prophecies which were then made?

If you elect the gold-standard candidate it will make the rich richer and the poor poorer, decrease happiness, increase distress, destroy opportunity to work.

There is where they almost caught me. I always like to work; and when I read that declaration that if the gold-standard candidate was elected "it would destroy opportunity to work," I must say it almost caught me.

Now, I read from page 540:

If you elect the gold-standard candidate it will encourage hoarding of money.

In other speeches such statements as these were made: The election of the gold-standard candidates will—

Ruin the farmer.
Injure the wage-earner.
Reduce employment.
Discourage enterprise.
Paralyze industry.
Bust the savings banks.
Ruin the depositor.
Decrease salaries.
Destroy manufactures.
Make impossible for husbands and wives to pay mortgages.
Close public schools.
Make dearer money.
Cheaper property.
Harder times.
More crime.

Yet McKinley was elected, and we adopted the gold standard, and not a single prophecy or prediction of our opponents has come true.

Why, I remember within six months after that campaign corn went up out in Nebraska, and our opposition friends still denied that we had any prosperity. Corn went up more, and then the Democrats said, "Why, certainly corn has gone up, but don't you know they have a famine over in Europe somewhere, and that is what has made corn go up?" Then horses went up, and they said, "That is because horseflesh is used as meat, and it has found a new market." But the people of this country do not eat mules, so mules went up, and kicked the wind out of their argument. Apparently everything in this country went up except free silver, and I might add Cervera's fleet.

Mr. BENNY. Will the gentleman permit a question?

Mr. BURKETT. Yes; certainly.

Mr. BENNY. Do you believe that the rich have grown richer and the poor have grown poorer, or not?

Mr. BURKETT. I do not believe it. I believe they have all

grown richer. I believe the rich have grown richer and the poor have grown richer, too. The whole country has grown richer.

Mr. SCUDDER. In equal proportion?

Mr. BURKETT. The gentleman knows that could not be true. They should grow richer in the same ratio, but not in equal amounts. The man who starts out with twice the advantage is certain to grow rich faster than the other man.

Now, I want to follow this thing up. Four years later the Democratic party met in Kansas City. The people of this country understood free trade after the campaign of 1892. They understood free silver after the campaign of 1896, and when your convention met in Kansas City you had to have a new issue, a new excuse for going before the American people. I will tell you why.

Every one of you can remember when you were a boy and your mother washed and dressed you and kissed you good-by and started you to school, and instead of going to school you went fishing or swimming. Then, do you remember that when you appeared in school the teacher called you up in front and wanted to know why you had been late or absent? Do you remember that? You gave her some kind of an excuse. You got caught the second morning if you gave the same excuse. So you never offered her the same excuse the third morning, after you had been caught. The Democratic party in this country got caught on free trade in 1892. You got caught on free silver in 1896, and just ordinary schoolboy common sense told you to get a new excuse.

Now, when you went into that convention in Kansas City you adopted free silver, it is true, but you proceeded from that moment absolutely to refuse to say a word upon the money question throughout all that campaign. You did adopt free silver, but you had to go away out into the Pacific Ocean, two or three thousand miles away from home, to get the deciding vote that put that money plank into your platform. Why? Had you changed your judgment on it? Had your consciences had an awakening in the meantime? Did you know more than you did four years ago? That was not the proposition. You had been defeated on that issue four years before, and you did not have the nerve, so far as the Democratic party on the continent—in the United States—was concerned, you did not have the courage, you did not have the faith in your convictions of 1896 to put them into your platform, and if it had not been for that delegate from Hawaii you never would have referred to free silver in 1900 even in your platform.

Mr. SCUDDER. Is not that one of the misfortunes of expansion?

Mr. BURKETT. That may be true to your party. But you did not stop there. I will tell you what your paramount issue was then. Your paramount issue was then, as you brought it out there, three things, if I remember right: Imperialism, militarism, and trusts—triplets of the political family of graveyard walkers, imaginary horrors, reared at that time, for what? To cover up the egregious blunders of the past, to make the American people forget, if it was possible, your false argument on free trade in 1892, and your ridiculous prophesies on free silver in 1896.

Mr. SCUDDER. Will the gentleman yield for a question?

Mr. BURKETT. Yes.

Mr. SCUDDER. Does the gentleman contend that the trust issue is an imaginary issue at this time?

Mr. BURKETT. It will be an imaginary issue so far as the Democratic party is concerned, I am quite confident of that. It always has been imaginary, so far as the Democratic party was concerned.

Mr. THAYER. And so far as the Republican party has been concerned, too.

Mr. BURKETT. It has not been in the past.

Mr. SCUDDER. How much of the appropriation of \$500,000 is it understood they have expended for executing the laws against trusts?

Mr. BURKETT. I will say to the gentleman that the expenditure of money is not necessarily a measure of the degree of the enforcement of the laws so far as the Republican party is concerned.

Mr. SCUDDER. The President asked for it, and said it was essential.

Mr. BURKETT. He spent all that was necessary.

Mr. SCUDDER. Twenty-five thousand dollars. Does the gentleman think that is sufficient to suppress the trusts?

Mr. CHARLES B. LANDIS. That was \$25,000 more than the Democratic party expended for the same purpose.

Mr. BURKETT. Now, I am not going into a trust speech today. It has been heretofore handled by those who sat in this House at the time the Democratic party had complete power, and they certainly have shown that the Democratic party can take

unto themselves no particular glory for what they did in reference to the trust matter during the time they were in control of this Government. So far as the people of this country are concerned, they have never had any more confidence in your party to deal with the trust question successfully than they have upon any other question that has come before them to determine.

Mr. DALZELL. Will the gentleman allow me a suggestion?

Mr. BURKETT. Certainly.

Mr. DALZELL. Mr. Bryan says that the Democratic Administration, the only Democratic Administration we know anything about, was the most plutocratic that this Government ever knew [laughter and applause on the Republican side], and that the party spent a million dollars in the States of New York and New Jersey in order to put that plutocratic party into power.

Mr. CAMPBELL. And got that out of Wall street.

Mr. BARTLETT. And that was not as plutocratic as the Republican party.

Mr. SCUDDER. I was going to say, in answer to the suggestion of the gentleman from Pennsylvania, that it would seem, judging from the applause in the House, that Mr. Bryan has to look to the Republican party just now for his support. [Laughter on the Democratic side.]

Mr. BURKETT. I want to take up this discussion where the gentleman from Mississippi left it yesterday.

After the gentleman from Illinois had gone from Missouri clear around through Texas and Alabama to the Atlantic Ocean with his newspaper clippings, singing as they did the great battle hymn of the Republican party, "Good times and good cheer and prosperity," the gentleman from Mississippi arose at that point to interject into the debate what we all expected to be the paramount issue of the Democratic party for the coming campaign. But we were all disappointed. He only scolded. There is not a man on that side of the House but knows that every paper published in his district is teeming to-day with statements of the great prosperity that the people are enjoying.

The people never were so well fed, so well clothed, and so well housed as during this series of Republican years. There never was a time in the history of this country of such prosperity, and those newspapers, as read by the gentleman from Illinois, only confirmed what every one of us know, that there has been universal prosperity since 1897. Now, let me tell you what is going to be the paramount issue in the next campaign.

Mr. SCUDDER. Is that due entirely to the Republican party or has God Almighty had something to do with that prosperity?

Mr. BURKETT. Now, let me answer that, and also answer the question whether or not God Almighty or the Republican party is responsible for the boll weevil and for the high price of cotton, which has been asked so many times from that side of the House during this debate. Let me tell the gentleman from New York, and all the rest of you who have asked the question, that I have no hesitancy in saying that the Republican party is not only responsible for the price of cotton, but we are responsible for the fact that the people in New York and all over this country are able to buy cotton at 15 cents a pound, a rate that you have to sell it for to be profitable when the boll weevil has destroyed half of it. We are not responsible for the boll weevil, and we are trying to do with the boll weevil exactly what we have been trying to do with the Democratic party, the chinch bug, and every other pest in this country—we are trying to exterminate it. [Laughter on the Republican side.]

Mr. BARTLETT. Will the gentleman allow me to ask him a question?

Mr. BURKETT. I am trying to make my speech, if I am not interrupted.

Mr. BARTLETT. I do not want to interrupt the gentleman, if it is not agreeable to him.

Mr. BURKETT. I yield to the gentleman always.

Mr. BARTLETT. You said the Republican party made the manufacturers in the East able to buy our cotton at 15 cents a pound. Does not the gentleman know it to be a fact that the manufacturers in the South buy as much cotton as the manufacturers of the North, and that we sell three-fourths of our cotton crop abroad?

Mr. BURKETT. Well, let me say to the gentleman from Georgia in that particular that he fails to grasp—

Mr. BARTLETT. That is the truth.

Mr. BURKETT (continuing). He fails to grasp the real position of the Republican party not only upon the proposition of home markets, but on foreign markets as well. We have sold—and the Republicans are glad to admit it—more goods abroad since Major McKinley was made President and the Dingley tariff bill was passed than before in ten times as many years.

Mr. BARTLETT. Will the gentleman tell this House and the country what tariff there is upon raw cotton that is sold, and

which is the chief product of the South, and how the Dingley tariff bill has affected the price of raw cotton—

Mr. SCUDDER. And sold in competition with the pauper labor of China and Manchuria.

Mr. BARTLETT. Will the gentleman tell me how much that has affected that?

Mr. CHARLES B. LANDIS. Did I understand the gentleman from Georgia to say that three-fourths of that product of the South is sold abroad?

Mr. BARTLETT. I do; yes, sir.

Mr. CHARLES B. LANDIS. Will the gentleman tell me how he reconciles that with the Democratic prophecy made when the Dingley tariff bill was up that if we passed that bill it would absolutely destroy our foreign markets? [Laughter and applause on the Republican side.]

Mr. BARTLETT. I do not know that anyone ever made such statement, as far as cotton is concerned, for it is not protected by the tariff.

Mr. CHARLES B. LANDIS. Will the gentleman answer that question? You said we would build a stone wall around America and that we could not sell goods abroad any longer.

Mr. BARTLETT. I do not understand that any such argument was made by anybody.

Mr. CHARLES B. LANDIS. Now, the gentleman says that three-fourths of our product of cotton is sold abroad.

Mr. BARTLETT. And always has been under all tariffs.

Mr. CHARLES B. LANDIS. But they said it would cease if the Dingley bill became a law.

Mr. BARTLETT. I do not know of any man who made any such assertion that I have ever heard of.

Mr. BURKETT. Now, Mr. Chairman, let me take my time and make my speech.

Mr. BARTLETT. I thought I had the gentleman's permission.

Mr. BURKETT. I am always delighted to have the gentleman from Georgia say almost anything to me he feels like saying, as it does him so much good and it does not hurt me. Let me say to the gentleman from Georgia that there is a tariff on some sort of cotton goods; but that is not the proposition—

Mr. BARTLETT. I said raw cotton.

Mr. BURKETT. The Democratic party has taken the position here that because the boll weevil got into the cotton down South and made it scarcer by half that cotton has gone up in price. Now, tell me how high cotton would have gone in 1894 and 1895 and 1896? There was no sale for it then at any price; cheap as it was then it was a drug upon the market. It would not have gone up then under the same circumstances, because there was nobody who had any money to buy cotton with in those days. The laboring men were out of work and business men were out of business.

The prosperity in the cotton industry has been brought about, not by the scarcity of the article increasing the demand, commonly speaking, but through the ability of the people of New England and all over the United States to buy that cotton even at two or three times as high a price as it was during the free-trade times which the gentleman from Georgia is pining to reintroduce into this country. That ability to buy is because the people have all been employed on full time and at good wages, and good times and good wages is a Republican product.

Now, let me get back to my speech. Here is a question that bothers you all: Why is it that every four years you Democrats have to have a new paramount issue? Why is it that the Republican party never changes its paramount issue? The same paramount issue that the Republican party has to-day it had four years ago, it had in 1896, it had when Lincoln was a candidate, and Grant was a candidate, and Garfield was a candidate, and it has had it all along the line. Now, I might go further and say that a Republican never has to change his campaign speech because he always has the same doctrine to talk, he always has the same goal to attain, the same object to accomplish.

It is more embarrassing for you upon that side, for every year you must have a new issue. You never take a position that you can stand by for more than one campaign. On the other hand, we Republicans go tramping along the same old road, going in the same direction, to do the same thing. And the oldest Republican here to-day will bear me out in saying that you are making the same kind of speeches that you made forty years ago.

Mr. SCUDDER. Will the gentleman yield?

Mr. BURKETT. I wish the gentleman would not inject so many questions, but I will yield for this one.

Mr. BARTLETT. Mr. Chairman—

Mr. BURKETT. I can only yield to one at a time. Very well.

Mr. SCUDDER. The same position to do nothing at all to cut off your base of supplies.

Mr. BURKETT. I decline to answer that, Mr. Chairman. I refer the gentleman to the history of this country for the fifty years of Republicanism as an answer as to whether or not we

have been a do-nothing party. I suggest that the gentleman read the history of this country for the last half century.

Mr. DINSMORE. Mr. Chairman, I dislike to interrupt the gentleman very much, for he is making a good speech. He was saying that the Republican party is advocating the same principles to-day that they have advocated for years and that he can make the same speech that he has made all the time. I would like to ask him if they are still, as in the platform of 1888, denouncing Grover Cleveland for trying to demonetize silver. [Applause on the Democratic side.]

Mr. BURKETT. Oh, Mr. Chairman, we have every hope that the Democrats will take care of Grover Cleveland. [Laughter.] Let me say that while your people every four years have had to change your position and have had to have a new issue, the Republican party has never had but one issue, and it will be the same in this campaign. It is the welfare and happiness of the American people, the progress and development of the American nation. [Applause on the Republican side.]

It doesn't make any difference whether free silver shall be acute in the Democratic party at that time, whether free trade shall be acute in the Democratic party, or whether the way we are going to handle the Philippine Islands shall be acute in the Democratic party, or whether Panama shall be acute, the Republican party will keep its face constantly to the front and advocate the one proposition—to do that thing at all times that will bring the greatest happiness to the American people, that will be for the welfare and prosperity of this great American nation. [Applause on the Republican side.]

Here is where the people are interested. Let me tell my friends on the other side that this is what concerns the people of this country, and before you enter upon the coming contest, with your theories and your hackneyed policies, you would do well first to consider how will they affect the welfare and happiness of the American people, the progress and development of the American nation. Only a few years ago you went before the country and stated that the most important question was the way we were going to take care of 5,000,000 people in the Philippine Islands. But the people, by the greatest majority we have ever had, insisted that a more important question to them was the way you were going to take care of 77,000,000 people right here in the United States. That is the question that comes home to every man and will be the paramount issue in the next campaign. When a man goes into the ballot booth to cast his vote he will say, "Which party, which one of these policies, which one of these theories when carried out will be for the highest interest for me and for my wife and for those that I have sworn to take care of at home?" That is the paramount issue of the Republican party, always to do that thing which will make light hearts and happy faces, good homes and pleasant places.

As I said before, everybody in this country wants good times. We are having good times, and the people want to know how long these good times are going to last. Out in eastern Nebraska in 1896 land was worth about \$25 an acre and slow sale at any price. To-day you can not buy that land for less than fifty or a hundred dollars an acre. The people want to know how long these good times are going to continue. The people will want to know what assurance you can give them not only that you will continue these conditions, but that you will not visit upon them the same disasters that you did from 1893 to 1896. Let me tell the gentleman from Mississippi the difference between the real conditions and what he appeared to conceive them to be in his argument of yesterday.

Let me tell him how long these good times are going to last, whether his party gets into power or whether my party gets into power. I will tell you when the good times will stop—when we quit doing business on correct business principles. You Democrats never did conduct the affairs of this Government, in my judgment, on any strictly business basis. There are two rules for doing business successfully. These two rules, if followed, will make individuals successful and will make a nation prosperous. In my judgment, you never would comply with them in the future, as you never have in the past.

The first of those rules is "spend less than your income." You have to do it as an individual if you expect to get ahead in the world. It makes no difference whether your income is 10 cents a week or 40 cents a minute, you must spend less than your income if you would get rich.

Secondly, if you expect to get on in this world and prosper as an individual you have to "sell more than you buy." You have to do it. You can not buy more than you sell and ever succeed. No farmer could sell \$600 worth of corn and buy \$700 worth of goods and prosper. Just so is it with national affairs, and no nation will ever prosper that spends more than its income or that sells less than it buys. The trouble with the Democratic party is you don't recognize these rules. You spend more than your

income and you buy more than you sell. Let me tell you what you did during the four years of the Administration of Grover Cleveland.

I have here, from the Statistical Abstracts, the receipts and expenditures of this Government during the four years beginning with 1894 and ending in 1897, when the Republican party came into power. I am not going to read them all, but I will put them in the RECORD, with the permission of the House. Let me say that in 1893 we had a surplus of \$2,341,674. In 1894 you expended \$442,605,759, and your receipts were only \$372,802,498. You had a deficiency of \$69,803,261. In 1895, the next year, you had a deficiency of \$42,805,223. In 1896 you had a deficiency of \$25,203,246. In 1897 you had a deficiency of \$18,052,454. Every year you had a deficiency in times of profound peace in this country, simply because you spent more than your income.

Mr. MADDOX. Will the gentleman permit me to interrupt him for a moment?

Mr. BURKETT. Well, I should like to have the gentlemen defer for a time, for I wish to finish this matter.

Mr. MADDOX. Will the gentleman just step back now and tell us how much of a surplus Harrison had on hand and how much he expended and how he came out, and whether the Republicans spent more than their income at that time? [Applause on the Democratic side.] When he was inaugurated he had over a hundred millions of dollars in the Treasury, and when he turned the reins of government over to Mr. Cleveland there was not over two millions in the Treasury.

Mr. SMITH of Iowa. He paid off two hundred millions of bonds in the meantime.

Mr. PAYNE. He paid off two hundred and sixty-two millions of bonds in the meantime.

Mr. BURKETT. If you will go back and take the North American Review—

Mr. MADDOX. Oh, not the North American Review, but just take the United States Treasurer's reports.

Mr. BURKETT. I hope the gentleman will not get excited. We will try to debate this matter in decorum.

Mr. MADDOX. I want you to take the reports of the Treasury.

Mr. BURKETT. I think the gentleman will take my answer just as I give it, as long as I control the time. If you will go back and read the Forum and the North American Review—

Mr. MADDOX. But let us take the official records.

Mr. BURKETT. Mr. Chairman, I wish the Chair would try to keep the gentleman quiet. I am trying to answer all questions with proper decorum and courtesy.

Mr. MADDOX. Oh, I will withdraw the question if it embarrasses the gentleman at all. [Laughter on the Democratic side.]

Mr. BURKETT. No; it does not embarrass me in the slightest.

Mr. MADDOX. I will say that I indorse entirely the gentleman's idea of what the Government should do and what an individual should do, but I want to say to the gentleman that his party has not practiced what he is preaching and that the official records show it.

Mr. BURKETT. Now, let me tell the gentleman there never was an hour from the time that the civil war closed, on an average, down to the beginning of the Administration of Grover Cleveland when the Republican party did not pay off \$174,000 of the indebtedness of this country—every blessed hour that you and I have lived since the civil war. [Applause on the Republican side.] They paid that indebtedness because they had a surplus, and they had a surplus only because they did follow those rules. If the gentleman will go back six months previous to the time of the election of Grover Cleveland, he will find the North American Review and the Forum and the financial journals of the country with this sort of articles in them: "What shall we do with the surplus in the United States Treasury?" "What shall we base bank notes upon when the national debt is paid?" That was the problem during all those later years of the Harrison Administration—what was to be done with the enormous surplus that was accumulating in the Treasury? I do not ask the gentleman to take my word, but let him go to the files of the North American Review or any of the great magazines of the country at that time and see for himself.

Grover Cleveland was nominated and he was elected, and between that time and the 4th of March the income of this country was absolutely shut off, and why? Because business stopped. The people of this country understood, or thought they did, at least, the conditions under which they could bring goods into this country as soon as Grover Cleveland should be inaugurated and Democratic policies put into operation, and they absolutely stopped importations into the country, as the records show. As the importations were decreased the revenues were decreased, the surplus decreased, and in that last year, instead of having an enormous surplus, just as we had had every year before, in 1893 our income was cut down to within two and a half millions of our expenses.

It was a close call, I admit, for a Republican Administration, but it was a surplus. It was a pretty thin margin to skate on, but, sirs, thin as it was, close to the line as it was, it was miles and miles better than your sixty-nine millions of deficiency the very next year. Let me go on, and I will tell the gentleman something else along this line of Democratic incompetency.

After you had had control of affairs four years you handed them back to us, glad to escape the responsibility, and the very first thing that the Republican party had to do when it came into power after that Democratic Congress and that Democratic Administration was to appropriate in deficiencies, to pay the debts of this Government that your party did not have the money to pay, to an amount of \$347,165,001.82. Not only that, but during those four years you went four times to the money markets of the world and you borrowed \$113,000,000, specifically to pay running expenses, and issued bonds for it. You issued more bonds during that time, but this amount is absolutely traceable to running expenses of the Government. In short, you borrowed \$113,000,000 on the bonds of the country and three hundred and forty-seven millions on oral account and then left the Treasury empty and official salaries unpaid.

Now, that was the management of the Democratic party during the time they had the reins of government in their hands in this country. Why should we expect you to do better in the future than you have in the past when you adhere to the same old free-trade heresy?

Now let me continue where I left off when interrupted. The last year I gave you was 1897, when you Democrats in time of peace had a deficiency of more than \$18,000,000. The next fiscal year, or that of 1898, was the first year under the McKinley Administration. It took us a little while to get our machinery started, and then the Spanish war came upon us, and then the Philippine war, and they made millions of extra expense.

The first year of that Administration, or 1898, we had a deficiency of thirty-eight millions. In 1899 we spent eighty-nine millions more than our income. But there the story changed. In 1900 our surplus was nineteen millions; in 1901 it was seventy-seven millions; in 1902 ninety-one millions, and in 1903 our surplus was fifty-four millions. With that stupendous amount of surplus we have been paying our debts. We always do. That is also Republican policy. When the Republican party turned the Government over into the hands of Democracy in 1893 the public debt, less cash in the Treasury, was exactly \$688,969,475.75. When you Democrats went out of office in 1897, after four years of peace, that public debt was \$986,656,086.14.

I happen to have here a Treasury statement for September 1 last, and that shows the debt to be only \$917,752,545. Thus, since 1897, when we came into power, we have conducted the Spanish war and the Philippine war, have paid every cent of the cost, and have reduced the national debt \$68,903,541.14. We have not done it by any ledgerman process, but by following the simple rule of business of spending less than our income.

Receipts and expenditures of the Government from 1893 to 1903.

Year.	Receipts.	Expenses.	Surplus.	Deficiency.
1893 a	\$461,716,562	\$459,374,888	\$2,341,674	
1894 b	372,802,498	442,605,759		\$69,803,261
1895 b	330,373,303	433,178,436		42,805,223
1896 b	409,475,408	434,678,654		25,203,246
1897 b	430,287,168	448,439,622		18,052,454
1898 a c	494,333,954	532,381,201		38,047,247
1899 c	610,932,004	700,093,594		89,111,590
1900	669,595,431	590,098,371	79,527,060	
1901	639,316,531	621,598,546	77,717,985	
1902	684,226,280	593,038,903	91,287,377	
1903	560,396,674	506,099,007	54,297,667	

a Republican year. b Democratic year. c Spanish and Philippine wars.

The gentleman from Mississippi, in his remarks last evening, said that he thought the free-silver question would be relegated to the rear, and he undertook to tell us why. Perhaps his language was stronger than that; I do not wish to risk misquoting him by making it any stronger than that, but it implied that he is going to tell my distinguished constituent out at Lincoln to "go way back and sit down;" that he was going to place him in cold storage, so to speak, in this next campaign; that he had decided that Mr. Bryan was no longer an inspired promulgator of paramount issues. Let me say to the gentleman that he has not known my distinguished constituent as long, nor I believe as well, as I have; he has not run up against him as many times as I have. If he had known him as I have, he would know that no ukase issued by any one man in the Democratic party will ever impress Mr. Bryan with the idea that he has passed his day of usefulness or that he should abandon his rank in party circles or give up his ideas at any time on any proposition. [Laughter.]

The gentleman from Mississippi said that conditions have changed; that gold has been pouring into this country; that the accidental discovery of new supplies of gold—and, perhaps, to be exact, he mentioned some of the different mines which have been discovered. I think he spoke of those mines that have been uncovered in Alaska, from which we have brought large quantities of gold into the United States, and the new mines that have been developed in Colorado. And he reasoned that because new mines had been discovered that, therefore, we have more gold in this country, and, therefore, the silver question has been relegated to the rear.

I always admit a fact when it is brought to my attention. I admit that there have been great gold discoveries out in Cripple Creek; that large quantities of gold have been and are being mined in Alaska; that gold has also come to us from other quarters that were not expected. I admit all that.

But let me tell the gentleman something that he will find out if he studies the statistics of this country. For every dollar in gold that we have gotten in the way of increase to our circulating medium out of the gold mines of Cripple Creek and Alaska and all the world, for every dollar in gold that has been added to our money product on that account we have gotten \$10 more in gold from foreign nations in the world simply by selling them more than we bought and getting the difference in cash. [Applause on the Republican side.] It is the old story, let me say to the gentleman from Mississippi. It is by following the two little rules that his father gave him when he was a boy—to spend less than his income, and to sell more than he bought. Ah, go back and trace the history of your country in connection with our consular service.

Mr. WILLIAMS of Mississippi rose.

Mr. BURKETT. I would rather not yield until I finish my train of thought, and then I will be glad to yield to the gentleman. Let me tell the gentlemen on that side to go back and study the history of their party in connection with our consular service. I have heard some of the older Members of the House tell about that, and I have gone into it somewhat, and I find that every time a proposition has been made in this House to increase the efficiency of our consular service, to broaden and extend that magnificent system, there has always been a Democrat somewhere ready to hop up and obstruct that increase and that upbuilding.

The Republican party has not only advocated the protection of the home markets, but it has also said, "We want to go out and capture the markets of the world." And since 1897 we have sold to foreign nations more than \$3,000,000,000 worth more of goods than we have bought of these countries, and we have gotten that \$3,000,000,000 in cash. I read last week of a great ship—

Mr. WILLIAMS of Mississippi again rose.

The CHAIRMAN. Does the gentleman from Nebraska yield to the gentleman from Mississippi?

Mr. WILLIAMS of Mississippi. It is right on the point that the gentleman is talking about.

Mr. BURKETT. Not till I get through.

Mr. WILLIAMS of Mississippi. The gentleman is getting away from the point I want to ask him about.

Mr. BURKETT. I will go back to it whenever the gentleman suggests his question.

I read only two or three days ago of a great ship that started out of New York with 10,000 tons of American-manufactured goods on board. I remember also when it was announced six months or a year ago that a ship started out with 8,000 tons of American-made farm machinery—reapers, harvesters, binders and threshers, wagons, corn planters—all made in this country with American money, with American muscle, out of American material; and that ship went clear around the world over to Russia with that cargo.

I read the speech of a distinguished gentleman the other day who had traveled in Europe, and he said he saw on almost every road in Europe engines that were made in the United States. What a wonderful fact that is! What a sermon that is to the gospel of Republicanism! How that must thrill the heart of every American citizen, to feel that we are sending our products into every market on the face of the earth! How have we done it? Because we have not been satisfied simply to protect our own markets for the things that we produce in this country, but the Republican party has gone on with an even greater determination into the larger field of conquering foreign markets. It has gone out to capture the markets of the world and make them respond for the welfare and happiness of the American people, the progress and development of the American nation. [Applause on the Republican side.]

Now I will yield to the gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I should like to ask the gentleman three questions in one.

Mr. BURKETT. I hope so, because I am ready to stop. I am becoming somewhat fatigued.

Mr. WILLIAMS of Mississippi. I am sorry the gentleman did not let me ask the questions while he was talking on those particular points.

Mr. BURKETT. We will get right back to the points.

Mr. WILLIAMS of Mississippi. Now, I will have to repeat the statement somewhat.

Mr. BURKETT. Ask the question.

Mr. WILLIAMS of Mississippi. The gentleman said that for every dollar that came from the mines of the world to increase the American supply of gold \$10 had come from other nations of the world.

Mr. BURKETT. I estimated it at that; yes. I have not figured it accurately. I made the statement approximately, as the result of some figures I got this morning.

Mr. WILLIAMS of Mississippi. I did not suppose the gentleman intended to do anything more than to approximate it. I do not hold him to an absolutely accurate statement.

Mr. BURKETT. It is somewhere about that.

Mr. WILLIAMS of Mississippi. Now, I wish to ask these three questions—

Mr. BURKETT. All right.

Mr. WILLIAMS of Mississippi. Did not this gold that came from the gold mines in other parts of the world come to us chiefly in return for the export of our cotton, wheat, corn, and meat, none of which either are or can be protected? That is one question.

Then I want to ask the gentleman this: Has not the gold supply increased not only here but in Great Britain and Germany and all over Christendom, and has there not been in consequence of that a rise in the scale of world's prices during the time that he is speaking of? That is the second question.

Then I want to ask him, in the third place, if these engines, about which he talks as being sent to all parts of the world and sold in competition there with pauper labor, are not now highly protected under the Dingley bill against competition on the part of foreigners in the American market? I would like the gentleman to answer those questions.

Mr. BURKETT. I will say to the gentleman in response to all three of them that so far as whether or not each of these articles is protected in all forms I do not know that I can tell. I do not suppose the gentleman can. I know in a general way, as he does, but do not carry all the schedules in my mind. Practically, however, I do not see what difference it makes, so far as the amount of what we export is concerned, whether it was protected or not. And I might say in response also that the Democratic party has always insisted that the protective tariff was bound to destroy all our foreign trade. Now, the way that come about at this particular point was, I was showing where the money, the great increase of money, was from. It was \$24 per capita when you made your speeches in 1896 and said we needed more money. It is now \$30.48 per capita, as is shown from the report of the Secretary of the Treasury made yesterday.

Now, you attribute that all to the discovery of mines. We attribute it, as Republicans, also to the fact that we have increased our exports, and that as we have been able to sell more goods to foreign countries than we were ever able to sell before, that in return we have received more money than ever before.

Now, let me go on and state one more proposition, and then I will be through. I want to see if we can find the real difference between the Republican party and the Democratic party, and why your policy does not bring as good times as Republican policies do. I mean now the general trend of your policies. I do not refer to details of carrying those policies out. The difference as I have always conceived it is this, and I do not know that anybody else will agree with me, but the difference is in the way we work and the objects that we seek to gain and the class of people we seek to benefit. The Republican party always works for the benefit of the producer; the Democratic party works for the benefit of the consumer.

Now, that is the difference between the two parties, in my judgment, in a few words. The Republican party works for the benefit of the producer and the Democratic party helps the consumer. A man must be a producer to be benefited by Republican policy. It does not make any difference whether he produces steam engines or ax handles or a bushel of corn or an hour's work or what it is. If he is a producer, he is helped when the Republican party is in power. The Democratic party, on the other hand, gives little concern to the producer, but seeks to make things cheap for the consumer.

Mr. Chairman, I remember very well the first time that I ever heard my distinguished constituent, Mr. Bryan, speak in the campaign for election to Congress in 1892. I remember that he carried an old hat, a butcher knife, a bolt of red flannel, and a tin pan around with him; and he said that that terrible high protective tariff was robbing the people.

He would hold up that bolt of red flannel and in a manner that

brought tears to the eyes of the people would tell them that by the action of the Republican party that every yard of that flannel that went into the poor man's shirt cost him half a cent a yard more than it ought to cost him as a result of that terrible McKinley protective tariff. After getting the people to agonizing over their terrible condition he then proposed that if they would elect him and Grover Cleveland that they would knock off that half a cent a yard and restore it to the poor laboring man. The people accepted his proposition. They let him and Grover Cleveland in, and within six months they had stolen the whole shirt. [Laughter and applause on the Republican side.]

There was not a laboring man in this country in the four years that followed that ever thought of having a flannel shirt. They did not wear flannel shirts in those good old Democratic days. Now, I will admit that you believe in making things cheap, and I admit you do make things cheap, but you do not make them easier to get. I remember that when Cleveland was President, in 1894, 1895, and 1896, horses were cheaper in this country than they were ever before or since. That is a question we know of, because we produce horses in Nebraska, and they got so cheap that we used to can them and send them back East here to you people to eat. [Laughter.] Horses were cheaper than ever before, but more people went on foot than had ever walked since the flood. House rent was cheaper than ever before, and there were more people without homes than ever before. I admit that bread was cheaper than ever before. It got down to 2 or 3 cents a loaf, and yet in every town in this country the people had to take up collections to buy bread for the laboring men of this country who could not provide for their wives and families at home.

I remember that all these things were cheaper, but let me say you did not make any of them easier to get. The Republican party helps the producer, and whenever I find a man who is not a producer I can not believe he is helped much in Republican times. I am frank to admit it. Whenever you see one of those men complaining about the times, you can set him down as a non-producer, and usually as a Democrat, too. Whenever you see a man sitting on a goods box whittling and spitting and criticising the Government, complaining of the times, set him down as a non-producer, and usually a Democrat.

Now, a man came into my office whom I knew very well a year or so ago, and he began to find fault with the times. He said that he could not see that they were any better than they were before, and that it was just as hard to live as it ever had been. Now, I knew his business; he was a collector. He collected the money that his wife made taking in washing. So, when he insisted that he could not see any of our good times, I said to him, "Have you sold any corn?" He said, "No; I haven't had any corn to sell." I said, "Have you sold any horses?" He replied, "No; I haven't had any to sell." I then said, "Have you done any work?" "No," he replied; "I am not able to work."

Now, he had not produced a thing, not a bushel of corn nor an hour's work or a thing in the world, and yet he was kicking at the Republican party because it did not fan prosperity into his face. It never will, because he is not a producer. I remember one day last summer a hailstorm came through our county, and the next day a friend of mine came in and said, "We had a hailstorm out our way last night that wiped me off the face of the earth. I have not left standing a hill of corn or a spear of wheat. Everything that I had has gone." Five minutes of hailstorm changed that man from a producer into a consumer. I admit that 30-cent corn did not help him, because he had to buy it. I admit that high prices did not help my friend, because he was a consumer. But it did help every other man in that county and State who did produce something. There is more production than consumption in this country. Every man expects to produce more of something than he consumes. Therefore the Republican party helps the larger end of this industrial proposition.

In concluding let me urge you Democrats to consider the paramount issue of the Republican party. There may be this or that particular thing put to the front, as the exigencies of the times may necessitate. I mean that this thing or that thing may be acute in the coming campaign. But the Republican party on the tariff question, on the money question, on every other question, on schedules and ratios, will continue in the future, just as it has in the past, to press forward to attain the one goal—"the welfare and the happiness of the American people, the progress and the development of the American nation." [Applause.]

Mr. LIVINGSTON. Mr. Chairman, I yield ten minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN. Mr. Chairman, I can do but scant justice to the extended remarks of the gentleman from Nebraska [Mr. BURKETT] in the brief time at my disposal. It is true that in 1896 the Democratic party favored the immediate restoration of bimetallicism. Its newspapers and orators were bitter in their denunciation of the gold standard. Some of them may have used the identical language of the late President McKinley, who looked

with concern upon the financial policy inaugurated by Grover Cleveland and denounced it and the gold standard in extravagant terms.

Mr. Cleveland's policy was opposed by a majority of the Democrats in this Chamber and at the other end of the Capitol. It was supported by the Republican press and the Republican membership of the American Congress. It was denounced by many Republicans and by nearly all Democrats as a menace to the welfare of the country.

It was distinctly the policy of the great bankers of two continents and was inaugurated by Grover Cleveland. In so far as a mere instrument may lay claim to a work performed under direction of a master, it may be called Mr. Cleveland's policy. It was a policy which no other man holding high position had previously espoused, one that emanated from no political party.

Although the dearest object to a coterie of gentlemen, millionaire speculators and stockjobbers, who since 1893 have been the advisers of Presidents, it found no outspoken champion holding a position of authority until 1893. Its enforcement, effected as it was by the institution of a reign of terror, caused by a shopmade panic, brought upon this great continent the desolation of a desert and the gloom of the grave. It may be observed in passing that since then its real author has been caught, red-handed, in a financial scheme of plunder, by which a multitude of small investors have been robbed by means as criminal as those resorted to by Canada Bill, the notorious king of confidence men, in fleecing his numerous victims.

The financial policy of Grover Cleveland, which has become the corner stone of the Republican creed, was promoted by J. Pierpont Morgan, who was recently unmasked as a coarse swindler, and so sinks from the position of adviser of Presidents and inventor of financial legislation to the level of the man with a gold brick to sell or the fakir with three cunning little shells at a county fair. [Laughter.]

But, Mr. Chairman, it is pertinent to inquire what answer was made by the Republicans to the arguments made by the Democrats in 1896. Did they say that the gold standard was to be established? No. Did they say that in seven or eight years the addition of five or six hundred million dollars in gold to the volume of money would cause a rise in prices and better times? Nay, verily. They said we didn't need any more money; that we only needed confidence. They said they didn't want higher prices for the products of labor.

The Republican literature of that period urged the workingmen to vote against Bryan as a means of preventing a rise in prices. Republican orators told the workingman that by enforcing the gold standard the purchasing power of a dollar had been enhanced, and that this was a benefit to the wage-earners. They said that what was wanted was a dollar of enhanced purchasing power. For, said they, this would enable the workingman to obtain more for the fruits of his labor.

Again, I inquire of gentlemen on the other side of the Chamber, did you predict that the gold supply of this country would be recruited to the extent of five or six hundred million of dollars during the ensuing eight years? No. You said there was money enough. You insisted that confidence in the ability to secure credit and not more money was needed. You ridiculed the contention of the Democrats that the country needed a larger supply of specie. In the teeth of all writers on political economy, you ridiculed the quantitative theory of money and insisted that there was little or no relation between the volume of money and prices.

I challenge the gentleman from Nebraska to produce here a single Republican speech made at that time in either House of Congress which looked forward to the future and predicted or suggested an early solution of the financial question, as far as coinage was concerned, by a tremendous increase in the output of the gold mines.

Mr. Chairman, some of the gentleman's figures almost took my breath away. It is common for gentlemen to use figures trippingly—thousands, millions, billions. Why, he said that in a few years past we had exported three billions' worth of produce in excess of our imports, and that thereby for every dollar obtained from American gold mines we have drawn \$10 from abroad.

Does the gentleman know that the production of American gold mines during the past eight years aggregates a sum almost equal to that which has been added to our gold supply during the same period?

Mr. Chairman, I am as firmly convinced as I was in 1896 that the world needs bimetallicism. It is not true—it never will be true—that the world's commerce can be based upon a single metallic standard with safety to civilization.

Consult statistics and you will discover that the coinage question has not been finally settled, and you will also be convinced that, while it may not excite popular interest now, sooner or later it will become again a prominent theme of political discussion in all parts of the world. While we have been recruiting our specie

we have imported over one hundred millions in excess of our exports of gold from European countries. It is advisable to take some account of how far they have recruited their supply and what has been the effect of our imports of gold upon business conditions abroad.

Just before Secretary Gage retired from the Treasury Department I requested him to have prepared for me a table showing the balances in the public and private depositories of each of the great continental powers of Europe, including Russia, on the first of the fiscal year of the preceding eight years. In that period, remarkable as it may seem, the aggregate addition to the visible supply of gold in all these countries, with a population of 400,000,000, during this period was less than \$100,000,000. Instead of gaining, some had suffered a diminution in their stock of gold.

Russia to-day has over \$100,000,000 less gold than she had at the beginning of the era of increased gold production. Germany, for the seven or eight years, has stood still, neither gaining or losing. France increased her supply very little. England added seventy millions to her gold supply by loans during the war with the Boers. And in all these countries hard times and business depressions prevailed throughout the period in which their supply of specie was diminishing, or at least not increasing appreciably.

Gentlemen, do not imagine that the people are ready to swallow such oratory as we have been listening to. They know that added to the product of our mines for seven or eight years there has been a steady flow of gold to this country, adding to our money supply five or six hundred millions of dollars of specie. Do not imagine that because we are on the tidal wave resulting from this unexpected providential addition to our money supply you can induce the country to believe that your campaign of 1896 led up to or caused it.

The Democrats did not expect this large increase in the gold supply. No more did the Republicans. The country was in despair. The Democrats demanded the coinage of silver, claiming that more money of redemption was indispensable. The Republicans demanded more confidence; declared that credit, not money, was needed. The Democratic remedy has been applied. The Republican remedy could not have restored prosperity.

The gentleman from Nebraska [Mr. BURKETT] says that Nebraska had adjusted itself to the new creed adopted by the Republican party for the first time in 1896, months and months before the St. Louis convention. Well, if it had, an adjustment must have been necessary. At best, this is an admission that until a little while before the campaign of 1896 the Republicans in Nebraska, as elsewhere, were out-and-out bimetalists, and if they changed front a little earlier than the rest it matters not. Before changing front they must have been in agreement with the Democratic heretics of '96 and in favor of just what we contended for at that time.

Why, the distinguished gentleman from Ohio [Mr. GROSVENOR] and the distinguished gentleman from Iowa [Mr. HEPBURN] as late as the short session of 1896-97 stood upon this floor and said then that their party was still struggling for bimetalism—that they wanted bimetalism—and the gentleman from Ohio [Mr. GROSVENOR] was accused by the gentleman from New York, Mr. Quigg, of "reading a man out of the party" because he did not believe in bimetalism.

This would go to show that even after the election in 1897 you still adhered to what you knew was a hypocritical makeshift—that part of your party platform which pledged you to labor for an international agreement for the coinage of silver. Until now you have not dared to say to the people that you are for the single gold standard.

Now, what is the truth as to monetary conditions throughout the world to-day? Why, history is simply repeating itself. Gold is, for the time being, more abundant than silver. The gold mines have become exceedingly productive. Hence, money has become more accessible. The supply is becoming larger. As long as this continues, prosperity will continue. When it ceases, dry rot will ensue in the business world. Monometallism will be responsible for the disaster to mankind. When this continent was discovered the world had little silver in circulation.

It had all gone to the Orient in the course of trade, and gold was the money of commerce in western nations. Why? Because it was most abundant. The discovery of great deposits and accumulations of silver in Mexico and South America resulted in the substitution of the more abundant metal. The treasure ships of the Spaniard carried to every part of the world vast sums of silver, and the channels of commerce were filled with it.

[Here the hammer fell.]

Mr. COCHRAN. Mr. Chairman, can I have two minutes more? There does not seem to be anybody here who has charge of the time.

Mr. HARDWICK. Mr. Chairman, I will yield the gentleman two minutes of my time.

Mr. COCHRAN. The result was that for a lengthened period silver was almost the only money of commerce throughout the world. Almost the whole world was using the Spanish milled dollar. Then came the discoveries of gold in 1848, 1849, and 1850 in California and Australia, and again the world did business with gold. The discovery of the Bonanza mines in 1868 and 1869 in Nevada promised another era in which silver would reappear. Then for the first time in modern history monometallism was made effective by hostile legislation. Inevitably the world suffered disaster by this new departure. It is unnecessary and would not be desirable, even if I had time, to rehearse the evidences that this new policy visited dry rot upon the business world everywhere. Business depression, falling prices, insolvency, and ruin were at our doors. We demanded more money and the free coinage of silver as a means of supplying it. You said we needed only confidence.

You would hold us to our contention literally. Then stand by your own. How would you like to trade off the great supply of money unexpectedly furnished by the gold mines for the "confidence" which you said in 1896 was all that was needed? Have we any money to spare? Why, notwithstanding the addition of five or six hundred millions of specie in the years that have followed your assertion that no more was needed, let fifty millions take wings tomorrow, leaving your gold supply four or five hundred millions greater than it was in 1896, and financial chaos would shake the continent.

You know that we could not export \$50,000,000 of the gold supply in the coming six months without serious embarrassment to business. What, then, becomes of your doctrine of "confidence?"

Is it true that the Republican theory was put in practice after the election of Mr. McKinley as President in 1896 there ensued an era of renewed confidence, and that renewed confidence has caused higher prices, and with higher prices, consequently, good times? No. More money has saved the country from greater losses. Your remedy was never applied. It was an impossible remedy.

You know and I know that the change in the conditions in the financial world is not the result of Republican policies. It has been brought about, as my friend from Mississippi [Mr. WILLIAMS] said yesterday, by two things—by an enormous production of gold in the world, and, in so far as we have been especially benefited by it, by a large balance of trade in our favor, which has enabled us to appropriate the lion's share of the gold. The farmers of the West and South have helped most, for, after all, the exports of this country have been and ever will be more largely composed of agricultural products than anything else. [Applause.]

The CHAIRMAN. The gentleman from Georgia [Mr. HARDWICK] is now entitled to the floor for fifty-eight minutes.

Mr. HARDWICK. Mr. Chairman, under date of January 2, 1904, the secretary of the Union League Club of New York City addressed a letter to the various members of the Fifty-eighth Congress. Accompanying this letter was a copy of the report of the committee of the club on political reform, dated April 9, 1903, and a copy of certain resolutions adopted by the club on December 10, 1903.

The resolutions referred to read as follows:

Resolved, That the Government be requested to instruct the district attorneys in the various States where an illegal suppression of votes is alleged to prosecute every case where there has been a violation of the laws of the United States in reference to suffrage, if adequate evidence can be obtained to justify a submission of such case to the grand jury.

Resolved, (1) That Congress be requested and be respectfully urged to investigate with thoroughness and impartiality the charges of a suppression of votes contrary to the fourteenth and fifteenth amendments to the Constitution of the United States; and in every case where such restriction is accomplished by a limitation of the franchise for any reason the representation of such State in Congress be reduced; and also to see that the fifteenth amendment be in no way violated either directly or by subterfuge; and (2) that where the decisions of the courts or the practices at elections disclose the fact that the statutes are inadequate, amendatory acts be passed remedying the defects disclosed.

This resolution, referring as it does to what is undoubtedly the greatest problem in the domestic life of the Republic, forcibly emphasizes the fact that there is in the present Congress, as evidenced by bills and resolutions already introduced by individual Members of the House, a radical, and apparently an irreconcilable, difference of opinion.

On November 10, 1903, the gentleman from Indiana [Mr. CRUMPACKER] offered a resolution providing for the appointment of a committee by this House to investigate the election laws of the several States of the Union, with a view to ascertaining whether or not any State was violating the provisions of the Constitution in reference to suffrage, and if so, to what extent, and with the ulterior purpose of finally imposing upon such States as may restrict the suffrage the penalty of reduced representation in this House and in the electoral college.

On November 13, 1903, the gentleman from Ohio [Mr. DICK] offered a resolution providing that the standing Committee on

Election of the President, Vice-President, and Representatives in Congress should be empowered to investigate the question of the denial of the elective franchise, in violation of the Constitution, the ulterior purpose of this resolution being identical with that of the preceding measure.

On November 11, 1903, the gentleman from North Carolina [Mr. WILLIAM W. KITCHIN] offered a joint resolution proposing the repeal of the fifteenth amendment to the Constitution, and on November 16, 1903, the gentleman from Alabama [Mr. UNDERWOOD] offered a similar resolution.

On the last-named day, to wit, November 16, 1903, I had the honor of proposing two joint resolutions on this general subject—one providing for the repeal of the fifteenth amendment and the other providing that all of section 2 of the fourteenth amendment, save the first sentence thereof, should be repealed.

While none of these resolutions have yet been reported, and none of them may ever emerge, during the present session at least, from the caterpillar stage of committeeism into the butterfly life of House existence, yet the fact that they have already been introduced is significant of the difference of opinion to which I have already alluded.

It will be readily observed that these resolutions, all involving the same great question, are capable of one general subdivision; those of the gentlemen from Ohio and Indiana treating of the Constitution as it is now written and proposing an investigation of its alleged violation, and the last four resolutions—those introduced by the gentlemen from North Carolina, Alabama, and myself—dealing with the broader and greater question as to whether the Constitution is right or wrong and ought or ought not to be changed.

The first class of these resolutions involves, primarily, the determination of a great question of fact; the second involves solely the consideration of an even greater question of public policy and statesmanship. Although the two questions are closely allied and the same great fundamental principles of government underlie them both, yet I can not, in the course of the limited time at my command to-day, undertake to discuss them both; and being confined to the discussion of one branch of the matter only, I shall discuss the broader and deeper question of right and wrong, rather than the narrower and more restricted question as to whether or not, in point of fact, there exists in any State of the Union such a condition of affairs as requires or justifies the introduction and passage of the resolutions proposed by the distinguished gentlemen from Indiana and Ohio.

If on some future occasion the necessity should arise, I propose to submit a few remarks upon those resolutions, but for the present I shall pass the specific question involved in them with the remark in passing, that if the same tests are applied to all the States, it will be discovered that the limitation of the elective franchise in various ways has not been confined to the South alone, that by Australian ballot laws, of varying provisions, the right to vote has been abridged in every State of the Union, except North Carolina, South Carolina, and Georgia; that in ten States of the Union there are educational or property qualifications for voting, or both, and that only six of those States are in the South; that in Oregon, California, Idaho, and Nevada Chinese are expressly excluded from voting by State constitutions, although they may be citizens of the United States; that by the organic law of Idaho male citizens of the United States 21 years of age, who have never violated any law are debarred from voting if they believe in or countenance the Mormon religion—whether they are polygamists or not.

I call the especial attention of the distinguished gentleman from Ohio to the fact that there is to-day in the organic law of his State, as well as in that of Oregon, an express provision that only white men shall vote, and that while it is true that these provisions were both adopted before the ratification of the fifteenth amendment, and are of course unconstitutional because in express conflict with that amendment, yet they were written in the organic law by the votes of the people of those States, and are upon the statute books of those States to-day—unrepealed by them—where they stand, ghostly but eloquent witnesses of the Caucasianism of their people.

I respectfully invite the attention of the distinguished gentleman and of the Union League Club to the constitution and laws of the State of Vermont, by which citizens who are of quiet and peaceable behavior, and who have the approbation of the board of civil authority, shall alone be permitted to vote: the most far-reaching provision that was ever adopted in any State, North or South.

And in concluding these passing remarks I would respectfully suggest to the esteemed Union League Club that it re-fer to this great question to its committee on political reform, with instructions to investigate laws and conditions in every one of the States, and particularly in the States of Maine, Connecticut, Massachusetts, Ohio, Oregon, California, Idaho, Wyoming, Nevada, and

Vermont, in addition to the Southern States that it has honored with its especial and particular attention.

Subterfuge, indirection, and evasion, always disgusting, would, in this presence and on this occasion, be doubly so; on the contrary, candor is the highest compliment courage can pay to intelligence, and adopting that as my rule of conduct on this occasion, I will speak to you candidly and plainly on this question of negro suffrage, for that, as we all know, is the sole question that lies at the bottom of all these resolutions and of all this clamor for the enforcement of constitutional provisions. While I intend to be candid in the discussion of the matter, yet I do not wish to state my arguments and conclusions offensively or bitterly or to voice the sentiment of my people in a sectional or partisan manner; my object is not to excite sectional prejudice or party bitterness, but to allay them; not to offend, but to conciliate; not to denounce gentlemen who may not agree with me, but to reason with them; but, gentlemen, because I use the language of conciliation, of friendship, and of brotherhood, let no man misunderstand my motives or mistake my spirit.

I thank God that we are at peace again and have once more a reunited and prosperous country; that the South is back once more in the house of her fathers and is there to stay forever, but I also thank Him, sir, that she is not here debased and humiliated and ashamed, with sackcloth on her back or with ashes on her head. She is here, yielding to no section in love for this splendid nation, whose glory is the marvel of the earth, or in loyalty to that flag of the Republic whose every star has been brightened by the valor of her sons and whose every stripe has been bathed in her noblest blood. She is here in a generous, manly spirit, with her great heart throbbing with love and patriotism for our common country and with her every hill and valley sending back an echo of that magnanimous spirit that not six years ago prompted our last martyred President, the great McKinley, standing in the State capitol of my own State and addressing its general assembly, to lay his tribute of love and respect upon the bier of her immortal dead.

This, then, is the spirit in which she invokes your consideration of her greatest problem, without bitterness or hate, and yet, without truckling or debasement, an equal among equals, claiming the right to present in candor and in fairness her views upon that mighty problem in which is bound up her very existence, and demanding that they shall be received with a patriotism that scorns sectionalism and with a statesmanship that will not stoop to make possible political capital out of the travail of brethren.

On January 1, 1861, there were only four out of the thirty-one States that then constituted the Union in which negroes were permitted to vote—namely, the States of Vermont, New Hampshire, Massachusetts, and New York. In the first three of these States the right existed by virtue of the broad language used in their earlier constitutions, and in the last-named State it existed by express enactment; but there were at this time in Vermont only 194 possible negro voters to 87,462 possible white voters; in New Hampshire, only 149 negroes of voting age to 91,954 whites of voting age, and in Massachusetts only 2,502 male negroes of voting age to 339,085 whites; and it must be remembered that even at this time all voters in Massachusetts were subject to an educational qualification.

In New York negroes were expressly admitted to the suffrage, but there were at this time in that State only 12,989 negroes of voting age to 1,027,905 whites, and yet, with even this insignificant proportion, the laws of New York required of the negro voter a property qualification of \$250 that it did not exact of the white voter—a restriction which probably excluded fully 90 per cent of the possible negro voters in New York, as is pointed out by Mr. Curtis in his admirable Constitutional History of the United States. It will thus be observed that even in these four States the gift was, in three cases out of four, accidental; that in every case it was a theoretical rather than a practical gift, and that in the case in which it was expressly conferred it was hedged about by partial conditions.

Up to January 1, 1861, while the country had for some years literally blazed with antislavery agitation, yet there was no respectable or considerable sentiment anywhere or in any party in favor of negro enfranchisement—certainly no political party in its national platform had ever espoused it. Mr. Lincoln himself, at that time the President-elect—the most illustrious statesman his party has ever produced and certainly the one man above all others entitled to speak for it where its platform was silent—had denounced the doctrine as a heresy and had proclaimed his emphatic and irrevocable opposition to it on more than one occasion.

During the year 1861 the people of Missouri amended their constitution and during this same year the people of West Virginia formed a constitution upon which they were finally admitted to the Union, but in neither State was the suffrage extended to the negro.

In 1862 Michigan amended her constitution, but again was the

"colored man and brother" ignored. In 1863 there were no constitutional changes by the States, but in 1864 new constitutions were adopted or old ones amended in Arkansas, Connecticut, Kansas, Louisiana, Maryland, Nevada, New York, Rhode Island, Pennsylvania, and Virginia, and yet in not one of all this great array of States was negro suffrage even hinted at.

In 1865 constitutional amendments providing for negro suffrage were submitted by the legislatures of Connecticut, Colorado, Wisconsin, and Minnesota, but when these provisions were submitted to the people in the fall elections of 1865, negro suffrage was rejected in each and every one of these States by decisive majorities.

Mr. HILL of Connecticut. Why, they vote now and have been voting for years in my State.

Mr. HARDWICK. What State does the gentleman refer to?

Mr. HILL of Connecticut. Connecticut.

Mr. HARDWICK. You have an educational qualification?

Mr. HILL of Connecticut. And always have had.

Mr. HARDWICK. So that at the close of 1865, while the emancipation of the negro was an accomplished fact, his enfranchisement was apparently as distant as on the day the war began.

In tracing the history of the negro suffrage movement, I come next to that period in the history of our country known as "reconstruction," memories of which, I hope, are unpleasant to the people of every State and section. Certainly the word recalls to the entire South, and especially, possibly, to my own State of Georgia, the bitterest and saddest period of her history, when her cup of humiliation was indeed full and her people drank of the very dregs of despair. During its progress her people suffered agonies a thousand fold more bitter to a spirited, high-strung people than even the untold miseries of war; but with a courage that might have been expected of the most homogeneous of all the American people they went to work to restore their shattered fortunes, and upon the ruins of their old civilization they built the South of to-day—that marvelous edifice of material wealth and industrial independence that is now challenging the admiration of the world.

Painful as are the memories of reconstruction to us all, yet I believe the time has at last come when we can discuss some of its events without prejudice or bitterness, and in that spirit I shall undertake it.

On December 8, 1863, President Lincoln issued a proclamation offering general amnesty to the people of the South and outlining his plan of reconstruction, which has been truly termed "most liberal and humane," but as it was made at a time when the South was undefeated in the field and hopeful of the final result of the appeal to arms, it had no practical effect and is chiefly significant now to show what Mr. Lincoln's plan was. While Mr. Lincoln demanded freedom for the slaves of the South and insisted upon their education, he demanded nothing more than these two things, and expressly stated that with these modifications when a State government was reconstructed "its constitution and laws prior to the rebellion" should be respected. Nowhere did he expressly or impliedly demand or suggest that the right to vote should be bestowed upon the negro.

It has, however, been contended that Mr. Lincoln modified this position in the Hahn letter of March 13, 1864, in which he suggested for the "private consideration" of Hon. Michael Hahn, the provisional governor of Louisiana, whether or not the constitutional convention about to assemble in Louisiana might with safety extend the elective franchise to the very intelligent negroes, and especially to those who had fought in the Union Army. The letter does not indicate that Mr. Lincoln had modified his oft-repeated views in opposition to negro suffrage, even to the very moderate extent suggested in the letter, although it is true that he was considering the modification of them to that extent only, and it is significant to note that six weeks after this letter, Wendell Phillips, one of the ablest and most earnest advocates of negro suffrage, indorsed the movement of the radical wing of the Republican party to nominate in 1864 an independent Republican candidate against Mr. Lincoln, the alleged cause of the schism in the dominant party being what was termed Mr. Lincoln's weak and vacillating war policy and his too mild and ineffectual policy of southern reconstruction.

Mr. Phillips not only indorsed this radical movement, but on May 27, 1864, he wrote a letter to Edward Gilbert, esq., of New York, which was read before the Fremont Convention, at Cleveland, Ohio, in May, 1864, in which letter Mr. Phillips used this among other expressions:

There is no plan of reconstruction possible within twenty years unless we admit the black to citizenship and the ballot and use him with the white as the basis of States. * * * Against such recognition Mr. Lincoln stands pledged by prejudice and avowal.

In the next place, in December, 1864, after his overwhelming reelection, Mr. Lincoln stated in his annual message to the Thirty-eighth Congress that his views on southern reconstruction had

undergone no change, and those views as will be remembered, did not include negro suffrage for the South.

It is true that in the last speech of his life, on April 11, 1865, only a few days before his assassination, Mr. Lincoln publicly expressed in somewhat more positive terms the idea he had suggested for the "private consideration" of Governor Hahn the year before. He said:

It is also unsatisfactory to some that the elective franchise is not given to the colored man. I would myself now prefer that it were conferred on the very intelligent, and those who serve our cause as soldiers.

The phraseology of the great war President is significant. He classes himself apart, in another class, from those who were "dissatisfied." He favored and upheld the Louisiana government, while those who were "dissatisfied" opposed it. He personally favored negro suffrage in these exceptional cases he mentioned, principally no doubt out of gratitude to the negroes who had served as Union soldiers; and yet he did not abandon his fixed and announced reconstruction policy or even suggest that negro suffrage ought to be forced upon any State, even if such State was in the process of reconstruction.

President Lincoln's contention was that it was the right of the Executive to reconstruct the State governments of the South. This doctrine, however, was not agreed to by the Congress, and the result of this difference of opinion was the passage of the first Congressional reconstruction act of July 2, 1864. This act may fairly be assumed to represent the sentiment of that wing of the Republican party that was opposed to Presidential reconstruction, and it is therefore particularly worthy of note that in this act the elective franchise was limited to "white males of 21 years of age."

From this act Mr. Lincoln withheld his approval, and it therefore failed to become a law, for which he was roundly abused in the Davis and Wade manifesto of August 5, 1864.

The political effect of this difference between the Congress and the President was a political schism in the Republican party, the more radical members of that party, who disagreed with the President's war policy and reconstruction plan, nominating John C. Fremont for President at Cleveland, Ohio, on May 31, 1864, on a platform radical enough in all truth, but which, while demanding equal civil rights for the negro, did not demand the elective franchise for him, although that it should do so was expressly suggested by Wendell Phillips and others. On September 21, 1864, Fremont withdrew, and in the election of November, 1864, Mr. Lincoln triumphed over the Democratic nominee, Gen. George B. McClellan, by a popular majority of more than 400,000 votes and by the enormous electoral majority of 191 votes.

Hon. A. C. Braxton, a distinguished lawyer of Staunton, Va., whose able paper, read at the last meeting of the Virginia Bar Association, is one of the most valuable contributions to the legal and political literature of this great subject, has well suggested that the "senseless and dastardly assassination of Mr. Lincoln in April, 1865, greatly exasperated the Northern people against the South, and added to the flames of sectional hatred already burning brightly." I fully agree with him. It was a double misfortune. Mr. Lincoln, although much misunderstood by the people of the South at the time, had already given indisputable evidences of a patriotism too sincere and of a statesmanship too lofty to deal harshly with the stricken people of the South, and if he had lived to complete the work of reconstruction that he began, his kindly heart and magnanimous spirit would have completely won the South, while his unswerving hand and unbending will would have held steady the helm of the ship of state and steered it at a much earlier period into the peaceful waters of sectional reconciliation and of patriotic nationalism.

His successor, President Johnson, attempted to carry out the reconstruction policy of his illustrious predecessor; but, although undoubtedly devoted to great constitutional principles, he was not without his faults and weaknesses, and besides was hardly placed—a Southern man, yet hated at the South because of what was regarded as his apostasy, and hated at the North because he was suspected of an undue leaning to the people of the section of his birth. His weaker hand could not guide the tossing ship, and Executive reconstruction rapidly gave way to Congressional reconstruction.

The first evidence of this change was the passage over the President's veto, on June 8, 1867, of a bill introduced in 1865 establishing negro suffrage in the District of Columbia. Before its passage provision had been made by Congress for the submission of the question to the voters of the District, and the result had been that, in one of the largest votes ever cast in the District of Columbia, negro suffrage had been overwhelmingly rejected by its people, 35 votes being polled for it in Washington City and 6,521 against it; 1 vote for it in Georgetown and 812 against it—an aggregate of 36 votes for it and 7,333 against it—and yet, in spite of this overwhelming expression of the popular will and in defiance of every principle of local self-government, the Thirty-

ninth Congress ordained negro suffrage for the District of Columbia, being actuated by two motives; first, because the leaders of the Republican party in that Congress felt impelled to make some concession, however trifling, to the growing sentiment in their own ranks in favor of the general enfranchisement of the negro in the South and in the Territories, and, next, because they wished to make an experiment on a small scale as to the results of the system.

If the times had not been so turbulent, and they had been willing to patiently await the result of the experiment, it is only fair to conclude that they would not have inflicted either subsequent reconstruction acts upon the people of the South or the fourteenth and fifteenth amendments upon the people of the Republic, for so unsatisfactory did the experiment of negro suffrage in the District of Columbia prove that by the act of February 21, 1871, a Territorial form of government was given the District, and by the act of June 20, 1874, as finally amended by the act of 1878, the present system of District government was established, so that while white manhood suffrage had proven satisfactory in the District of Columbia for the sixty-five years intervening between 1802 and 1867, impartial manhood suffrage only survived four years, that much of the experiment entirely reconciling the people of the District to a total deprivation of all voting rights in preference to a continued endurance of existing conditions.

In the meantime the Congress had not been slow in extending the experiment of negro suffrage to the Territories of the United States and to the States of the South, who, exhausted by the most bloody and devastating war that the world had ever witnessed, lay helpless and powerless at its feet.

In May, 1866, Congress, again disregarding the same principles of local self-government, and acting in the very teeth of a contrary expression from the people of Colorado, not eight months old, had peremptorily established negro suffrage in Colorado and in all the Territories of the United States.

In 1866 Nebraska sought admission into the Union, with a constitution that limited the elective franchise to white males 21 years of age, adopted by a popular vote, and yet, in February, 1866, Congress imposed the celebrated "fundamental condition" that Nebraska should be admitted with the understanding that she should not limit the elective franchise because of race, color, or previous condition of servitude, and that this recognition should be made by the legislature of Nebraska in a "solemn act" passed for that purpose. It will be observed that the acceptance of this condition was not left to the people of Nebraska, who could alone make or unmake their constitution, but to its legislature, which had no more power under the rules of constitutional law to change its constitution than the legislature of Georgia would have had to make or amend a constitution for Nebraska.

On March 2, 1867, Congress passed its celebrated, far-reaching, reconstruction act, by which it immediately forced temporary negro suffrage upon the people of the South, and ultimately forced a ratification of the fourteenth amendment.

Under the original Constitution of the United States the representation of the States, both in the House of Representatives and in the electoral college, was based on population, except that representation was only allowed for three-fifths of the slaves. This basis of representation was the result of a compromise between the contending forces of the North and South, effected in the convention that framed the Constitution. It was considered advisable, however, that with emancipation there should be a readjustment of the basis of representation, for the practical politicians of the dominant power viewed with no little alarm the prospect that with population as still the basis of representation, with every freedman counted the States of the South would gain from thirty to forty votes in the electoral college and the House of Representatives, and it was feared that this increased southern power—cooperating with the powerful Democratic party of the North, which had been able to poll 1,800,000 votes in the last Presidential election (1864)—would control the Senate at once and would win the Presidency and the House in the election of 1868.

In the West, which had much to gain from such a change, the remedy suggested was that Federal representation should be based upon the number of qualified voters, rather than on population. This was the remedy suggested by the Republican State convention of Wisconsin in its platform of September, 1865, which was probably the earliest expression of the idea.

On December 5, 1865, Mr. Thaddeus Stevens, of Pennsylvania, voiced this demand by proposing in the House a resolution to amend the Constitution so that "representation shall be apportioned among the States that may be within the Union according to their respective legal voters." When this question came up for debate in January, 1866, Mr. Blaine, of Maine, opposed the proposition embodied in Mr. Stevens's resolution, citing the census reports of 1860 to show that the change from total population to voting population would be manifestly unfair to New England and the Northern States, who had sent so many of their sons to

the great West, and thereby largely decreased their relative voting strength.

Among the many illustrations that he gave of the injustice that would be worked by the change was a comparison between Vermont and California, which States were substantially equal in population and had the same number of Representatives; but California had 207,000 voters to Vermont's 87,000, and under Mr. Stevens's plan would have eight Representatives if Vermont should have three. A compromise between these two ideas, effected first in the Committee on Reconstruction and afterwards perfected in conference between the House and Senate, resulted in the fourteenth amendment as it was proposed to the States and as it stands to-day. It reads as follows:

ARTICLE XIV.

SECTION 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof is denied to any of the male inhabitants of such State, being 21 years of age and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in proportion which the number of such male citizens bears to the whole number of male citizens 21 years of age in such State.

Sections 3 and 4 of the amendment are not pertinent to this discussion, while section 5 simply provides that Congress shall have the power by appropriate legislation to enforce the provisions of the article.

The Thirty-ninth Congress finally adopted this amendment on June 16, 1866, and sent it out to the several States for their adoption or rejection.

It is worthy of note that many of the more radical Republicans thought and stated, while the amendment was being discussed, particularly in the Senate, that the first section of the amendment protected political as well as civil rights, this view being expressed in the Senate debate by Senators Ross of Kansas and Edmunds of Vermont; but in the case of *Minor v. Happersett* (21 Wallace, 162) the Supreme Court held that the right to vote was not a "privilege or immunity" within the meaning of this section, and in that case and many others has uniformly held that this section does not add to the privileges and immunities of citizens, but simply prohibits the States from denying or abridging existing privileges or immunities.

The second section of the proposed amendment was considered by the Republican leaders as a most happy solution of the difficult problem presented in readjusting the basis of representation, for by it the New England and Northern States would lose no part of their representation or comparative power, as they must necessarily have done had the voting population been made the basis of representation, while under its provisions the Southern States could only make the dreaded gains in power in the event they enfranchised the negro—a result that thoughtful Republicans did not seriously fear, as they felt that the people of the South would not pay so dear a price for increased Federal power, and if they did not pay that price, their power could be reduced by a scaled reduction, the most far-reaching and effectual that could be contrived. For these reasons this hybrid, mongrel plan, "neither fish nor fowl," based neither on population or voting strength, but on a crafty combination of both, welded together the controlling elements of the dominant power and was received with glad acclaim by the rank and file as "heaven-sent inspiration."

On June 21, 1866, this amendment was proposed by Congress to the States. At this time, in every respect save that of Congressional representation, the States of the South were back in the Union. Presidential reconstruction had been proclaimed and recognized in them—the appointment of Federal judges and attorneys for them had been confirmed by the Senate, and finally, as the crowning act of recognition, this very amendment submitted to them by the Congress itself for ratification or rejection. At this time there were thirty-six States in the Union. Beginning with Connecticut on June 30, 1866, eighteen States of the North and West and one in the South ratified the amendment prior to March 2, 1867. But in the meantime, while the amendment was pending and before it had either been accepted or rejected, one of those nineteen States—namely, the State of New Jersey—withdrew her assent in September, 1868, as did another of them—namely, Ohio—in January, 1868.

During this same period, beginning with Texas on October 13, 1866, and ending on March 2, 1867, the amendment had been rejected by ten Southern States and the two border States of Kentucky and Delaware, a total of twelve States voting in the negative.

Massachusetts, Iowa, California, Nebraska, and Maryland were

yet to act upon it, and of those States it was reasonably certain that the first four would accept it and the last reject it, as the event subsequently proved; which would make twenty-three States voting for the amendment and thirteen against it, even if the affirmative vote of New Jersey should be allowed to stand unchanged. If not, it appeared that the result would be twenty-two votes for it and fourteen against it, and as the amendment required the assent of three-fourths of the States, or twenty-seven affirmative votes, it was apparent that in either event it was irretrievably defeated.

The Thirty-ninth Congress was not to be easily outdone. The situation was desperate, and a desperate remedy was needed. The result was the reconstruction act of March 2, 1867, by which the eleven Southern States, recognized by the President as reconstructed and invited by the Congress itself to vote as sovereign States on a solemn proposition to amend the Constitution of the Republic, were reduced to the condition of conquered provinces and placed under a grinding military rule, simply because they would not vote on this amendment as the Congress desired.

With the history of the gestation that followed we are all too familiar. It is a matter of record that the whites of the South were largely disfranchised and that the negroes of those States, supported and upheld by the military power of the Government, sat in solemn—nay, in farcical—judgment on the great amendment which was the beginning of their enfranchisement, and thus by a most marvelous proceeding voted themselves voters, and gave the so-called subsequent "ratification" of the various Southern States to these two war amendments.

Now that we have arrived at a time when reason has assumed her sway and we can consider this question on both sides fairly and without prejudice, I will venture the assertion that there is no man who is both sane and sensible who will be daring enough to controvert the statement once made by Georgia's greatest commoner, the Hon. Alexander H. Stephens, that this amendment, and the fifteenth as well, was literally pinned to the National Constitution by the bayonets of Federal soldiers.

The fourteenth amendment did not in any way enfranchise the negro. It left in the custody of each State the right that it had from the very beginning of the Government, guaranteed to it by the Constitution, of regulating for itself the qualifications of its electors. For the reason that it did not enfranchise the negro it had not been satisfactory to the more radical Republicans of the Thirty-ninth Congress in both the Senate and House, and the debates of that Congress disclose the fact that in the House Mr. Shellabarger of Ohio, Mr. Elliott of Massachusetts, Mr. Pike of Maine, and Mr. Jenks of Rhode Island all thought that the amendment did not go far enough, and that it ought to prohibit the abridgment of the elective franchise by any State on account of race and color.

Senator Sumner, of Massachusetts, also urged this view in the Senate at length and with eloquence, asserting that the recognition by the fourteenth amendment of the right of any State to disfranchise any of its citizens was "another compromise of human rights."

But these protests in the House and Senate were without avail, for the practical leaders of the Republican party did not feel strong enough in 1866 or 1867 to attempt such a change in the Constitution, nor had current political events strengthened their courage.

In October, 1867, the people of Ohio rejected an amendment to their constitution proposing negro suffrage by 50,629 majority. In November, 1867, Kansas rejected a similar proposition by a majority of 8,938 votes, and in the same month Minnesota rejected a similar proposition by a majority of 1,298 votes.

Indeed, it can not be doubted that the people of every State who had ever voted on this question seemed irreconcilably opposed to negro suffrage. So great was the storm of opposition to it in the North and West, and so afraid were the people of those sections that negro suffrage, which might be good enough for the South, might be forced upon them also, that the Republican party was forced to make the following pledge in its platform of 1868:

2. The guaranty by Congress of equal suffrage to all loyal men of the South was demanded by every consideration of public safety, of gratitude, and of justice, and must be maintained; while the question of suffrage in all the loyal States properly belongs to the people of those States.

Upon this pledge the Republican party went to the people and carried the country, electing not only a President and Congress, but obtaining control of both branches of the legislatures of a great majority of the States.

In February, 1869, Mr. Sumner said in the United States Senate that Mr. Thaddeus Stevens had protested against the adoption of the platform declaration I have cited above, as a weak, vacillating, and unworthy surrender of principle, and in his *Twenty Years in Congress* Mr. Blaine characterized it as "evasive and discreditable." How evasive he did not stop to explain. It could only be discreditable in the view that it proposed to force upon the South

something that the North and West were not willing to accept for themselves. It is worthy of comment that none of the criticisms to which I have referred were made publicly until after the election.

The Fortieth Congress met for its last session in December, 1868. It had hardly assembled before the leaders of the dominant party in both Senate and House, with their campaign speeches hardly unmemorized, if I may coin a word, and, with the shouts of victory still ringing in their ears, rushed over each other in their wild efforts to be the first to violate the solemn pledge of their party, which had just given them a new lease of national power and the control of twenty-five State legislatures, by proposing to take from "the loyal States to whom it properly belonged" the right to control the suffrage.

Insensible of shame at this barefaced fraud, they boldly denounced the platform upon which they were successful and yet retained the fruits of their perfidy. I challenge the political history of any republican government for an example of perfidy so bold and complete. Afraid to trust the incoming Congress, although more than two-thirds of each House was Republican, fearful that Senators and Representatives, fresh from the people, might have more regard for the solemn pledges upon which they were elected, they rushed this suffrage amendment through with indecent haste, its final passage being announced on February 26, 1869, just six days before the Congress expired by law.

Up to 1868, as we have already seen, the people of no State in all the Union except New York had ever expressly extended to the negro the right to vote, and every State that had ever acted on the question had expressly declined to do so except New York, and even there the gift was not impartial, as already shown.

But in 1868 the radical wing of the Republican party took some encouragement from the action of Iowa and Minnesota. In 1868 there were in Iowa approximately 1,000 male negroes of voting age to 290,000 whites of voting age, and yet on an issue between the two parties on the proposition to extend the suffrage impartially to the negro the Republicans only succeeded in securing the ratification of such an amendment by a majority of 22,000, less than that given the Republican ticket, and Iowa thus became the first State in the Union to voluntarily extend the suffrage on impartial terms to the negro. The only other encouragement was from Minnesota, where negro suffrage had already twice been rejected by the people, once in 1865 and again in 1867; but in 1868 the undaunted leaders of the radical Republicans returned to the charge and succeeded in inducing the 110,000 white voters of that State to extend the suffrage impartially to the 200 negro voters with its borders.

It can not be contended that the action of any of the Southern States, coerced as they all were by the military and legislative powers of the Government, was voluntary. So that the two States of Iowa and Minnesota are the only States in this Union who ever voluntarily extended the elective franchise to the negro on impartial terms prior to the ratification of the fifteenth amendment, and in each of those States, as I have just demonstrated, there were such an insignificant number of negro voters that the question was more of a theoretical than a practical one.

In 1868 Missouri rejected negro suffrage by 18,000 majority, and during the same year another attempt to enfranchise the negro in Michigan was defeated by 32,000 majority, although Michigan was one of the staunchest of Republican States.

That in proposing the fifteenth amendment the leaders of the Republican party were acting contrary to public sentiment everywhere was boldly admitted during the debate upon it in the Senate by Senator Wilson, of Massachusetts, who said:

The Senator from Kentucky [Mr. Davis] knows, and I know, that this whole struggle to secure equal rights and equal privileges to all citizens of the United States has been an unpopular one; that we have been forced to struggle against passion and prejudice, engendered by generations of oppression and wrong; that we have been compelled to struggle against great interests and powerful political organizations. I say to the Senator from Kentucky that the struggle of the last eight years to give freedom to four and a half million men who were in slavery, to make them citizens of the United States, to clothe them with the suffrage, to make them in all respects equal to the white citizens of the United States, has cost the Republican party a quarter of a million votes.

This assertion was approved by Mr. Blaine, who quotes it in his *Twenty Years in Congress*, and he further remarks that—

The Democratic criticisms as to the time and the method of presenting the amendment were well aimed and remained practically unanswered for the simple reason that no adequate or logical response could be made to them.

Why, then, this measure? There were undoubtedly many honest and earnest men in the Fortieth Congress who believed so thoroughly in the principle at stake that they were willing to make any political sacrifice upon its altar. Mistaken and misguided, as I firmly believe this class of men to have been, and harmful as I know their work was, I can not withhold from them that admiration that devotion to principle, even to mistaken principle, always merits. But it must be remembered that the real leaders of the Fortieth Congress were nothing if not practi-

cal. The States of the South were helpless under military domination; for the present they need be neither feared nor considered. The people of the North were so grateful to the Republican party, and as yet so unreconciled to the South, that the leaders of the radical wing of the dominant party believed that they could for a while longer hold the North, even if one of their prescriptions should be the nauseating and often-rejected dose of negro suffrage. They were wise men. In any event they had a fresh lease of power, and they knew that then was the proper time to inaugurate a permanent constitutional plan to take the place of the temporary statutory plan of reconstruction, and to deliver over the States of the South to the freedmen and their allies "in fee simple forever," and thus insure perpetuation of their political power.

On February 5, 1869, Mr. Sumner, debating the fifteenth amendment, exclaimed in the Senate:

I do not part from the proprieties of this occasion when I show how completely the course I propose harmonizes with the requirements of the political party to which I belong. Believing most sincerely that the Republican party in its object is identical with the country and mankind, so that in sustaining it I sustain these comprehensive charities, I can not willingly see this agency lose the opportunity of confirming its supremacy. You need votes in Connecticut, do you not? There are 8,000 fellow-citizens in that State, ready at the call of Congress to take their place at the ballot box. You need them also in Pennsylvania, do you not? There are at least 15,000 of them in that great State waiting for your summons. Wherever you most need them, there they are; and be assured that they will all vote for those that stand by them in the assertion of equal rights.

The amendment as finally proposed to the States reads as follows:

ARTICLE XV.

SEC. 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

On February 26, 1869, the final vote was taken in both Houses. The total number of Representatives to which the States actually admitted to representation in Congress were entitled was 226. There were 3 vacancies, thus reducing the total membership to 223, two-thirds of which would be 149. The record shows that in the House the vote on the passage of the resolution proposing the amendment was—yeas 145, nays 44, not voting 35.

In the Senate there were at the time the vote was taken 66 votes, excluding the 8 Senators from the States of Virginia, Mississippi, Texas, and Georgia, who had not been admitted to the Senate, of which two-thirds was 44; yet the vote in the Senate on the passage of the resolution proposing the fifteenth amendment was—yeas 39, nays 13, not voting 14. So that, while the resolution received in both Houses two-thirds of the votes actually cast, it did not receive two-thirds of the votes of the total membership of either House.

Article V of the Constitution provides:

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution.

A comparison of the language used in Article V with similar constitutional provisions is not unimportant in order to arrive at the real meaning of Article V.

Article II, section 2, clause 2, provides that the President—

shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur.

Article I, section 3, clause 6, provides that no person tried by the Senate as a court of impeachment shall be convicted without "the concurrence of two-thirds of the members present."

It is undoubtedly a grave question as to whether or not, giving due weight to these comparisons, the broader language used in Article V does not require the assent of two-thirds of the total membership of each House in proposing a constitutional amendment. Our Supreme Court has never as yet passed upon that question. Indeed, it has never been presented to it for its adjudication, and I know of no court that has even attempted to pass upon it, except, possibly, the supreme court of Oregon, which in the case of *Wood v. Fitzgerald*, 3 Oregon, 579, sustained the fifteenth amendment and declared that the clause in the Oregon constitution providing that no negro, mulatto, or Chinaman be allowed to vote was unconstitutional because in conflict with it; but in its opinion the court refuses to go into the objections suggested by counsel as to the validity of the fifteenth amendment, complaining that this was more properly the function of the courts of the United States, and that in the partisan bitterness and excitement then prevailing it would be dangerous for the court to hold the fifteenth amendment unconstitutional.

I apprehend, however, that these reasons will not appear weighty, and that the opinion of this court will not be regarded as very respectable authority by any court, State or Federal, that is true to that greatest principle of judicial ethics among English-speaking people, that it is the solemn duty of the courts to decide the law without regard to the popularity or unpopularity of their decisions.

The amendment was submitted to the people in spite of the protests made in the Senate that the resolution proposing it had not received the requisite constitutional majority, and was rushed to waiting legislatures. In the North and West Republican legislators, impressed with that same dream of perpetual power that had so charmed their party colleagues in Congress, hastened to disregard their instructions from the people and to force negro suffrage upon them by ratifying the amendment, and in their unseemly haste to enter upon the promised heritage of political power they had the effrontery in several States to pass their resolutions of ratification upon the receipt of the telegraphic advices from political friends and associates in Washington, without awaiting official notification from the Department of State that such a resolution was proposed to them or what its terms were. "Carpet baggers," placed in power by Congressional reconstruction, has tened to ratify for the Southern States; and in Virginia, Texas and Mississippi, which were still unreconstructed, ratification was forced by Congress, such ratification being once again made a "fundamental condition" of readmission, at the suggestion of General Butler, of Massachusetts.

On March 30, 1870, the ratification of the amendment was proclaimed by the Secretary of State, and thus the great drama of reconstruction was complete, and there was written in our organic law the last of the great war amendments.

The first of these amendments, the thirteenth, by which slavery was abolished, was accepted by the people of all sections, and by none more loyally and sincerely than the people of the South, as the necessary and logical result of the war, but the last two, the fourteenth and fifteenth, were adopted, if adopted at all, against the will of a majority of all the people in the Union, by trickery and treachery in the North and by force and violence in the South.

Whatever may have been the purpose of the second section of the fourteenth amendment and the fifteenth amendment, yet, construing these two sections in *pari materia* and giving full force to the provisions of each, the only fair construction of them is that no State may deny or abridge the right to vote of any citizen of the United States simply because of race, color, or previous condition of servitude; but, with this single exception, a State may establish any qualification for voting that its people may ordain—whether that qualification be based on education, on the possession of property, or the prepayment of taxes, or upon any other basis whatsoever, except race, color, or previous condition of servitude—provided that if, in so doing, it shall in any way deny or abridge the right to vote of any of its male inhabitants 21 years of age and citizens of the United States, except for participation in rebellion or other crime, then such State is subject to the proportionate reduction imposed by the fourteenth amendment, if the Congress shall deem it wise and proper to enforce that penalty.

If this be a fair and correct statement of the law, as I believe it to be, two corollaries necessarily follow:

First. That all provisions in State laws, whether constitutional or statutory, that disfranchise citizens of the United States because of race, color, or previous condition of servitude are void *ab initio*, and have not now, and have never had, any binding force in law, and can not ever be made the basis of indictment under section 2 of Article XIV.

Second. With the above limitation, any State may withhold the franchise from any of its citizens for any reason that may seem good to it, but *when, for any reason whatsoever*, it shall deny or in any way abridge the right to vote of any of its male inhabitants 21 years of age and citizens of the United States, except for rebellion or participation in crime, its representation may be reduced by Congress.

What condition of affairs do we find within three decades after these amendments were adopted? An examination of the laws of the various States of the Union will disclose the fact that there is not a single State in all this Republic in which the right to vote of male inhabitants of such State, 21 years of age and citizens of the United States, who are not guilty of rebellion or other crime, is not denied or in *some way* "abridged" by one or more of the following classes of qualifications:

1. Educational or property qualifications, or both.
2. Prepayment of taxes.
3. Religious belief, or nativity.
4. Australian ballot laws, requiring varying degrees of intelligence and education.

So that, when particular reference is made to the Southern States, we answer that if the charge is made that they violate the fifteenth amendment, that can not be the basis of indictment under the second section of the fourteenth amendment, but it must be a question for the courts alone, in which forum our constitutions and laws have stood every test hitherto imposed upon them or likely to be hereafter made.

If however, you take the other horn of the dilemma and assert

that we are subject to the second section of the fourteenth amendment, then I rejoin that every State in the North and West is likewise subject to the same penalty, and that if Congress should be unwise enough to elect to exercise the discretionary power vested in it by section 5 of Article XIV, it will not only be a most serious strain of the present cordial relations so happily existing between the sections, but it will require a readjustment of the basis of representation that will not start at the Potomac and end at the Rio Grande, but will stretch from Hatteras to the Golden Gate, from Maine to Florida, and will embrace in its majestic sweep every State and Territory in the Union, and even our new islands of the sea—for Hawaii has an educational qualification for voting, and is seeking admission to the Union.

So that we would implore the valiant Don Quixotes of this body not to embark on their windmill crusade, but rather as honest men, who see and know the futility and folly of the law as it is written, and are opposed to keeping among the organic provisions of our national law one that is impossible of enforcement, to join with us in advocating its repeal.

According to the census reports of 1900, there were in the entire Union, at the time the census was taken, almost 9,000,000 negroes, constituting nearly 10 per cent of the total population. Of these 9,000,000 negroes, considerably more than 7,000,000 live in the eleven States that once constituted the Southern Confederacy—namely, the States of Virginia, North Carolina, South Carolina, Georgia, Florida, Tennessee, Alabama, Mississippi, Louisiana, Texas, and Arkansas—where they constituted in the aggregate about one-third of the entire population, varying from 58.7 per cent of the population in Mississippi to 20.4 per cent in Texas.

Nearly a million more negroes live in the four border States of Kentucky, Maryland, Missouri, and Pennsylvania, constituting 13.3 per cent of the population in Kentucky, 19.8 per cent of it in Maryland, 5.2 per cent of it in Missouri, and 2.5 per cent of it in Pennsylvania. The remainder of them—a little less than a million in number—are scattered through the balance of the Union among the other thirty States and seven Territories, in numbers varying from nearly 100,000 in New York to 134 in Nevada, but not constituting in the aggregate more than an average of about 2 per cent of the total population of these States and Territories.

In males of voting age the negroes number a little more than 2,000,000 in the entire Union, which is not quite 10 per cent of the total number of males of voting age in the Republic. In the eleven Southern States which I have named they number in the aggregate of voting age over 1,500,000, varying from 223,000 in Georgia to 61,000 in Florida, and constituting in the aggregate 36 per cent of the entire voting strength of these States, varying from 57 per cent in Mississippi to 19 per cent in Texas.

These enormous figures and percentages can not fail to impress any thoughtful man with the magnitude of the problem that they suggest and with the colossal interests involved in it. The 12,000,000 white people of the eleven Southern States named have irrevocably, finally, and almost unanimously determined that they will prevent, by every constitutional means in their power, these people from exercising the elective franchise, and within the last few years this determination has crystallized into action, and to-day throughout the South the great bulk of them are not permitted to vote, being debarred by provisions and qualifications varying in the different States—in some by property or educational qualifications, in others by requiring the prepayment of taxes prior to voting, and in still others by Australian ballot laws that require varying degrees of intelligence, while in some of the States two or more of these methods are adopted.

So far as the fifteenth amendment is concerned, it is not believed by the great majority of our best-informed lawyers and jurists who have given careful thought to the subject that any of these provisions violate the fifteenth amendment, and it is undoubtedly true that they have so far stood every test of the courts. If they do not violate the fifteenth amendment, they can never be held unconstitutional by any court, and if they do violate the second clause of the fourteenth amendment, the States in question have merely subjected themselves to a possible application of the penalty imposed in that amendment, a penalty almost impossible of enforcement, for the reasons I have already suggested, and as I believe any Congress will discover that should be unwise and impolitic enough to attempt to exercise the *discretionary* and not *mandatory* power of Article XIV, section 5, by enforcing the penalty prescribed in the second section of the amendment.

In this peculiar situation it is not improper that we should appeal to you to undo the mistakes of the past. Let us repeal laws which permit by indirection that which they were intended to prohibit. Let us return once more to the old constitutional doctrine of our fathers, that representation should be based solely upon population, and that each State should regulate its own election laws, and in the discussion of these great questions in this high tribunal in which the representatives of the whole people ought to sit in solemn impartiality, and in that higher court in which

public opinion sits as the final and supreme earthly judge, we submit our contention that the negro can no longer pose as the special ward of the nation or expect partial treatment, but must stand or fall on his merit or demerit as a citizen and voter.

What, then, are the objections to negro suffrage? In the first place, the same objection that applies to all hopeless ignorance, especially when that ignorance is the possession of a people not accustomed to participate in representative government, unacquainted with its institutions, and uninspired by its traditions.

Of the more than a million and a half negro males of voting age, three-fourths of a million of them can neither read nor write. Of Alabama's 181,000, 55.8 per cent are totally illiterate; of Arkansas's 88,000, 40.3 per cent are totally illiterate; of Florida's 61,000, 35.9 per cent are totally illiterate; of Georgia's 223,000, 51.4 per cent are totally illiterate; of Louisiana's 147,000, 58.7 per cent are totally illiterate; of Mississippi's 198,000, 47.5 per cent are totally illiterate; of North Carolina's 127,000, 46.4 per cent are totally illiterate; of South Carolina's 153,000, 50.5 per cent are totally illiterate; of Tennessee's 112,000, 41.4 per cent are totally illiterate; of Texas's 137,000, 37 per cent are totally illiterate, and of Virginia's 146,000, 45 per cent are totally illiterate.

These figures speak to you more eloquently than any words I can utter, and when you remember that the test of literacy and illiteracy, upon which these figures are based, is *bare ability to read and write*, you can get an inkling as to what the true condition of this race in the South is on this subject; and when you recall that these are statistics taken after more than thirty years of freedom and education, after the States of the South have taxed themselves to exhaustion, and millions of money have been poured out by generous northern philanthropists, for negro education, you will be no longer amazed that the South has at last rid itself to a large extent of this black mass of density and ignorance, who, in the words of one of the recent governors of my State "neither recognize the sanctity of the ballot or realize the responsibilities of citizenship."

But it may be contended that, appalling as is the present illiteracy of the negro, he has made wonderful progress in education, considering his comparatively short opportunity, and is every day more rapidly and more thoroughly fitting himself for his duties as a citizen and voter. I concede the premise that he is reducing his illiteracy at a rapid rate, but the conclusion that he is therefore and thereby fitting himself for his duties and responsibilities as a citizen and voter I flatly dispute and believe I can successfully controvert. Let us examine the census reports as to his educational progress, beginning with 1880, so as to give him a full decade of preparation before any test is applied. In 1880 70 per cent of all the negroes in the Republic were illiterate. In 1890 only 56.8 per cent were illiterate, and in 1900 only 44.6 per cent. In the eleven Southern States the figures are not greatly different from those for the entire nation, the percentage of illiteracy for the negro in those States being 77 per cent in 1880, 63 per cent in 1890, and 49 per cent in 1900. This seems to indicate rapid and gratifying progress. It does undoubtedly indicate progress along educational lines, but does it follow that with his increased education the negro has in like proportion progressed in the acquirement and attainment of those civic and moral qualifications that will render him a better citizen and voter?

Let us see. Let us look into that question. From 1880 to 1890 his illiteracy in the South had decreased from 77 per cent to 63 per cent—a marvelous gain, an absolute decrease of 14 per cent and a relative decrease of 18 per cent. Yet during this same period his criminality increased in more rapid ratio than his illiteracy decreased.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman let me ask him a question?

The CHAIRMAN. Does the gentleman yield?

Mr. HARDWICK. No; not at this time. I will ask the gentleman to wait for a moment, and if I have time I will be very glad to answer any question he may propound. I am not at all afraid of the gentleman's question, but I have a certain ground to cover, and then I will take up any question that any gentleman may ask and answer it.

In 1880 there were in these Southern States 2,480 negro prisoners to the million of negro population. In 1890 there were in these States 3,275 negro prisoners to every 1,000,000 of negro population, an absolute increase of 31 per cent in criminality. Still his illiteracy had in this same decade decreased 14 per cent absolutely and 18 per cent relatively. Again in 1880 relative to the white race, and calculating each race upon the basis of population reduced to equality as between each other, the white constituted 27 per cent of the criminal classes of the South and the blacks 73 per cent. Yet in 1890, calculated on this same basis, the whites fell from 27 per cent to 16 per cent, while the negroes advanced from 73 per cent to 84 per cent of the total criminal classes, an absolute increase in criminality on this equalized basis of 11 per cent for the negro and a relative increase of 15 per cent. Yet it

must not be forgotten that during this same decade the negro had reduced his illiteracy 14 per cent absolutely and 18 per cent relatively. The Census Bureau has not its criminal statistics compiled for the year 1900, but from 1890 to 1900 the last State reports from the eleven Southern States I have named indicate that these same figures are holding good in that decade.

The conclusion is irresistible that the more you educate the negro the more criminal he becomes. But it may be urged that the negro is unfairly treated in these Southern States; that courts and juries are too prone to look seriously on his faults and to condemn him too hastily and to deal with him too harshly. Let us see. Now, if you will take the criminal statistics from the entire Union and from the different States of the North and different sections of the North and West, you will find that the negro has been punished to a very much greater degree—in other words, is very much more criminal—in the North and West than he has been in the South.

Number of negro prisoners to million of negro inhabitants.^a

	1870.	1880.	1890.
United States.....	1,621	2,480	3,275
Southern States.....	1,277	2,142	2,810
Highest Southern State.....	61,757	64,000	64,673
Connecticut.....	6,360	4,861	5,304
Massachusetts.....	9,792	5,336	7,213
New York.....	6,375	7,704	9,783
Illinois.....	4,966	5,415	7,948
Indiana.....	2,581	4,683	5,847
Iowa.....	2,408	2,896	6,475
Ohio.....	1,990	3,481	5,645
Minnesota.....	5,521	3,686	6,000
Michigan.....	3,696	7,196	7,474
Nebraska.....	10,274	10,235	5,490

^a From Eleventh Census, Crime, Pauperism, and Benevolence, part 2, pages 4 to 10, inclusive.

^b Virginia.

^c Texas.

Now, what conclusions are you bound to draw from these figures? There are two. First, that he has not been treated unfairly in the South; and, second, that in the North and West, where he is more educated and less illiterate, he is more criminal. Therefore, as I say, you see everywhere the marvelous spectacle of increased negro criminality and of decreasing negro illiteracy linked together, like Siamese twins, all over this Union. Now, I want to ask this question, and I propound it to every thoughtful, candid man: If it is true that education will not keep the negro from crime, if it is true that decreasing illiteracy does not seem to deter him from criminality, by what extraordinary process of reasoning is the conclusion arrived at that it will make him a better citizen or a better voter?

In this connection let me call to your attention briefly some significant facts and conclusions stated by President Winston, of the Agricultural and Mechanical College of North Carolina, in an exceedingly able paper on this subject, read, I think, before the National Prison Association. The statistics referred to by him are from the census of 1890. Professor Winston discovered the following facts from these reports:

1. The colored element is more criminal than any other in our population.
2. From 1880 to 1890 there was an increase of 33½ per cent in the ratio of colored criminals to the colored population. In other words, the colored population was one-third more criminal in 1890 than in 1880.
3. While 57 per cent of the colored population are illiterate, only 54 per cent of colored criminals are illiterate. The colored population that can read and write is more criminal than the illiterate. This is not true of any other element in the American population, where the illiterate criminals are in excess of those who can read and write.
4. The ratio of negro criminals and negro paupers is greater in the Northern than in the Southern States. * * * The negro is nearly three times as criminal in the North Atlantic as in the South Atlantic States; over twice as criminal in the North Central as in the South Central, and three and a half times as criminal in the Western as in the South Atlantic States.

Mr. WATSON. Is there anything in those statistics to show what per cent of the Southern—

Mr. HARDWICK. If the gentleman will wait a moment, I will be glad to answer any question when I get through.

Mr. GROSVENOR. But I will state to the gentleman that his time is not nearly up.

Mr. HARDWICK. If I can get a little more time, I will be glad to answer these questions.

The CHAIRMAN. Does the gentleman from Georgia yield to the gentleman from Indiana?

Mr. HARDWICK. If the gentleman will waive his question for a moment or two, I will answer it with pleasure later on. I prefer to go on now.

Mr. GROSVENOR. Of course, I do not wish to do anything at all if it will disconcert the gentleman.

Mr. HARDWICK. Not at all; but for the present I prefer to proceed in my own way.

The next objection I urge to negro suffrage is the almost universal corruptibility of the negro as a voter. There may be ex-

ceptions to the rule, more or less numerous in the North and West, and, indeed, a few rare ones in the South, but the rule is that any negro, rich or poor, educated or uneducated, will sell his vote, his chief concern being to obtain the highest possible price for it. I have no statistics to demonstrate this truth, but it needs no demonstration. It is a matter of common knowledge among the people of the South, and I believe this truth is known to people everywhere among whom there are any considerable numbers of negroes, and while I do not positively know it, and hence do not assert it, I surmise very strongly that the gentlemen who have controlled the various national Republican conventions since the negro became a political factor could, if they would, give eloquent evidence in corroboration of it.

The negro, of course, is not solely to blame for this; indeed, he is not even equally to blame with others, for where there is a seller there must be a buyer, and the buyer can not surely be held blameless for his part in such a transaction. But although it is true that the vote buyer ought to be severely punished, it is equally true that the vote seller should be forever disfranchised. Indeed, the disfranchisement of those voters whom we know do sell out is the only effectual cure for this great cancer on the national body politic. From the very nature of the transaction, from its secrecy, from the penalties attached to it, and from the opprobrium incurred by it, it is a transaction rarely susceptible, under ordinary circumstances, of proof, and hence the ordinary penalties usually provided by law can rarely be enforced.

I contend that certain truths that I now propose to state are axiomatic and undeniable. What are these truths? They are these: That the right to vote is not an absolute natural right that exists for the benefit of the individual, but a great civil and political privilege, conferred or withheld for the benefit of and in the interest of society and good government, and that men who so little appreciate their votes as to sell them ought to be deprived of them forever; and from these propositions I draw the necessary conclusion, in the light of the South's unvarying experience with the negro vote, that the negro ought to be disfranchised.

There is another and, if possible, a still more weighty reason why I oppose negro suffrage. The natural, indeed the irresistible, tendency of political equality is toward social equality. No two races have ever yet lived side by side in anything like equal numbers on terms of political and social equality without amalgamation. All history proclaims the truth of this doctrine, without an exception in any age or in any clime.

Amalgamation being impossible so long as there is a single drop of blood in the veins of a single southern white man, it follows that there can be neither social nor political equality between the races; that so long as they live together there must be the positions of superior and inferior, and that the white race will demand and take the superior position is beyond controversy. Six thousand years of history proclaim his right to it. Superior mental and moral force assert it. Justice and equity unite in confirming his title to it in this land that his adventurous ancestors discovered and conquered from its savage inhabitants, wrested from foreign tyranny, and in which they have founded and preserved that Government that is to-day the richest, the most powerful, and the most glorious on earth.

And who is the negro that he should dispute this demand? A race that never yet founded a government or built a state that did not soon lapse into barbarism; a race that never yet made a single step toward civilization, except under the fostering care and guidance of the white man; a race into whose care was committed one of the three great continents, and who has made it ever since the remotest times a land of utter darkness, until to-day the nations of Europe, in the onward march of irresistible civilization, are dividing his heritage, the greatest of the continents, among themselves. But why multiply words? It may be thought that because I am from the South and intensely southern I have an undue amount of race prejudice. I will therefore for the moment suspend my own argument and summon to my aid an illustrious advocate, one of the most illustrious, living or dead, that this country ever produced. Hear his argument, for he presents the argument I fain would make to-day, and voices with a terseness and strength I can never hope to equal the sentiments of my people.

On October 16, 1854, in a speech at Freeport, Ill., Abraham Lincoln said:

What next? Free them [referring to the negroes] and make them politically and socially our equals? My own feelings will not admit of this, and if they would we all know that those of the great mass of the whites will not. Whether this feeling accords with justice and sound doctrine is not the sole question, if indeed it is any part of it. A universal feeling, whether well or ill founded, can not be disregarded.

During this same Freeport speech Mr. Lincoln also said:

Let it not be said that I am contending for the establishment of political and social equality between the whites and blacks. I have already said the contrary.

During the same speech he also used these words:

Senator Douglas remarked in substance that he had always considered this Government made for the white people and not for the negroes. Why, in point of fact, I think so, too.

It will thus be observed that on three separate occasions during this one speech Mr. Lincoln impressed upon the people his opposition to social and political equality between the races.

In 1858 Mr. Lincoln and Judge Douglas engaged in that memorable contest for the Illinois Senatorship that attracted the attention of the nation; memorable because of the magnificent abilities of the two mighty gladiators, as well as the tremendous issues involved. During this joint discussion Mr. Lincoln took pains on two separate occasions to express and emphasize his irrevocable opposition to negro suffrage.

In the Ottawa discussion, August 21, 1858, Mr. Lincoln said:

I have no purpose to introduce political and social equality between the white and black races. There is a physical difference between the two, which, in my judgment, will probably forbid their ever living together on terms of perfect equality, and inasmuch as it becomes a necessity that there must be a difference, I, as well as Judge Douglas, am in favor of the race to which I belong having the superior position.

Again, in the Charleston debate, September 18, 1858, Mr. Lincoln used these words:

I will say, then, that I am not, nor ever have been, in favor of bringing about the political and social equality of the white and black races; that I am not, nor ever have been, in favor of making voters or jurors out of negroes, or of qualifying them to hold office, or to intermarry with white people; and I will say in addition to this that there is a physical difference between the white and black races, which will, I believe, forever forbid the two races from living together on terms of social and political equality, and inasmuch as they can not so live, while they do live together there must be the position of superior and inferior, and I, as much as any other man, am in favor of having the superior position assigned to the white race.

Who can add to the force, simplicity, and strength of this language? I can not hope to do so; I can only commend it to the thoughtful consideration of all the people of the Union, and especially would I commend the words of this great statesman, who came out of the great Middle West, to these latter-day statesmen, who come to-day out of the great Middle West with lances in rest, to take a tilt at the South.

But it may be asked, what then of the negro; you take from him the ballot that was conferred upon him for the preservation of his freedom and the protection of his civil rights—what substitute do you propose?

The answer is simple. His civil rights are forever secured to him by section 1 of the fourteenth amendment, and so far as the South is concerned I wish to say this, that with his political inferiority established and his social ambition checked he will quietly and peaceably assume that inferior position for which nature and training have fitted him, and so long as he is in their midst the people of the South, who understand him better and treat him more fairly than any other people on earth, and who have for him, in his proper place, a real regard, will see to it that his civil rights are safeguarded and protected—those civil rights that they have never been disposed to deny him since his emancipation, the right to have a fair and impartial trial in the courts, to labor when and where he pleases without abuse or molestation, the security of personal liberty, and the preservation of private property, as well as assistance to material progress and encouragement to the cultivation of those civic virtues that adorn every good citizen, high or low, and whose absence is a reproach to the mightiest.

The objection may be made that this system proposes to tax him without giving him a voice in the Government. The answer is that taxation and the right to vote have never been coincident in any government, and have never been in this Government. Is a negro man better than a white woman? Yet you tax the woman who owns property and in only two or three States out of forty-five do you permit her to vote.

The objection may be made that this system denies the elective franchise to the negro, and yet military service may be required of him. The answer is that military service and the right to vote have never gone hand in hand, even in this Government. Boys between 18 and 21 years of age are subject to military service, and yet they are not permitted to vote, and men over 45 years of age are exempt from military service, and yet they are permitted to vote.

More than twenty years ago the Hon. James G. Blaine predicted that there could be no further amendment to the national Constitution, except, possibly, in the event of a "political convulsion." This is probably the true rule, and the probability is that there will be no amendment on the suffrage question, unless race friction should in the future produce some horrible "convulsion" that will shake the nation and shock the world. In that event I do not doubt that a Caucasianism that will know no North, East, West, or South, but will bind all the white people of the Union together in bonds of blood and brotherhood, will spring into instant life, brush from its path all opposing forces, and sweep these amendments from our Constitution by unanimous vote.

I am not without hope, even under ordinary conditions, as to the ultimate success of the cause I advocate to-day. I can not despair when I recall that not many months have passed since the Republican Secretary of War, Mr. Root, addressing this same Union League Club in New York City, admitted that the experiment of negro suffrage had failed and that the country must realize its failure and prepare to consider next what new remedy could be proposed for existing conditions.

I can not despair when not many months have elapsed since the New York Sun, one of the greatest and most influential papers in the nation, Republican in its politics, but a brave, independent paper, with convictions of its own—and it is not afraid to express them—admits the tremendous mistake that was made in 1869 and 1870, and plainly says that "sooner or later the country will have to face the question of the repeal of the fifteenth amendment, and perhaps the sooner the better for the dignity of the instrument, which exhibits as a fundamental principle of the American system a theory of suffrage impossible of practical application with safety to the vital interests of the States chiefly concerned;" when this view of the matter seems to be indorsed by such widely read journals as Harper's Weekly, the Public Ledger of Philadelphia, the Providence Journal, and a large number of other northern and western papers and magazines; when this view is advocated and supported by such well-known sociologists as Prof. Leon Prince, Prof. Jerome Dowd, Prof. Goldwin Smith, Mr. A. R. Colquhoun, Rev. Dr. Parkhurst, and others.

Well has it been suggested that it is the most brazen of inconsistencies for the National Government to guarantee the suffrage to black men in the South while it denies it to brown men in the Philippines and to white men in Porto Rico.

These amendments were adopted at a time when party feeling ran high, when sectional bitterness filled the land, when almost every family both at the North and the South was mourning some loved one lost in the civil war, and men therefore were not prepared to speak or vote calmly and reasonably. They were adopted at a time when the leaders of the radical wing of the Republican party had the bleeding and prostrate South under foot and the balance of the nation at their beck and call, and, intoxicated with success and drunk with power, sought to perpetuate their party in control of the National Government, and yet, even under all these circumstances, the adoption of these amendments was accomplished against the express will of the majority of the people of the Union by treachery in the North and by force in the South.

If the people of the Union, even in those days when passions were hot, were unwilling to revolutionize their constitutional system by taking from the States the right to control this suffrage question, can it be possible that now, when the soothing hand of time has healed the wounds that were then smarting, when the people of the South have demonstrated once more in blood and fire their loyalty to the Union and her sons have marched side by side with the sons of the North, of the East, and of the West against a common foe, the fight against these iniquitous amendments is more hopeless than it was in the days of their adoption? I must confess I can not so view it.

The North and East are struggling to-day with mighty suffrage problems of their own. The great West has its burdens. The Chinese are swarming to the Pacific slope; every day is bringing thoughtful men of all parties, of all sections, and of all States closer together in the belief that North, East, West, and South must all have protection from the dangers that menace each section from ignorance and corruption at the polls; that the kind of protection that each Commonwealth requires is varied by many local conditions peculiar to itself, and that for these reasons there ought to be a return to the old compact of our fathers—to the ancient landmarks of the Republic. [Applause on the Democratic side.]

Mr. GROSVENOR. I want to call the attention of the gentleman from Georgia to a statement he made in regard to the word "white" in the constitution of the State of Ohio.

Mr. HARDWICK. Yes.

Mr. GROSVENOR. I will put it in the form of a question, if the gentleman will permit me.

Mr. HARDWICK. Yes.

Mr. GROSVENOR. And of course the gentleman can answer it or let my statement go for the answer.

Mr. HARDWICK. I will answer, if I can and have the time, any question that is propounded.

Mr. GROSVENOR. In 1867 the word "white" was in the constitution of Ohio, fixing the qualification of the voter. It had been put there in the constitution of 1851.

Mr. HARDWICK. That is right, sir.

Mr. GROSVENOR. That constitution was adopted by a Democratic convention. In 1867 a constitutional amendment was submitted to the people of Ohio to strike out the word "white" from the constitution.

Mr. HARDWICK. Yes.

Mr. GROSVENOR. The Democratic party denounced that proposition in its platform and nominated Judge Thurman for governor. The Republican party advocated that proposition and nominated President Hayes, then a citizen of Ohio, for governor of the State. The fight was made very bitterly all over the State, and the proposition was defeated, although Hayes was elected governor by a small majority. Thurman was afterwards elected to the United States Senate by the legislature, which was Democratic. Then came the fifteenth amendment to the Constitution, which rendered it unnecessary to agitate the question of striking out the word "white," and hence it has stood there ever since. Is that a correct statement of history, as the gentleman finds it?

Mr. HARDWICK. It is a correct statement with one exception, that in the same year that the white people of the State of Ohio elected the Republican candidate for governor, instead of giving a small majority against striking out the word "white" they gave a majority of 50,629 against it. [Applause on the Democratic side.]

Mr. GROSVENOR. I did not say anything about the size of the majority.

Mr. HARDWICK. I thought you said a small majority.

Mr. GROSVENOR. I said Hayes was elected governor by only a very small majority—about a thousand.

Mr. CLARK. Fifteen hundred.

Mr. GROSVENOR. Quite true.

Mr. HARDWICK. Answering the gentleman's question, the majority against striking out that one word "white," on the last vote ever taken by the people of the State of Ohio, was 50,629.

Mr. GROSVENOR. That was not the last vote ever taken.

Mr. HARDWICK. On that subject.

Mr. GROSVENOR. Not the last vote, because they submitted a new constitution in 1874.

Mr. HARDWICK. It did not have anything about that, though.

Mr. GROSVENOR. It did not have the word "white" in it.

Mr. HARDWICK. No; but has not the organic law of your State the word "white" in it now? Is not that in the Ohio constitution which is now in force?

Mr. GROSVENOR. We were submitting a constitution then.

Mr. HARDWICK. It was rejected.

Mr. GROSVENOR. The whole Constitution was rejected. That is all. I only wanted to get that much in as to the fact. I did not want to disturb the current of your speech—

Mr. HARDWICK. Not at all.

Mr. GROSVENOR (continuing). Which I will say I think is the best presentation of a bad cause that I have ever heard. [Applause.]

Mr. HARDWICK. I very much appreciate the gentleman's compliment. Now, just one other word. Of course the gentleman will claim that the Democrats did it, but as a matter of fact—

Mr. GROSVENOR. Oh, no; I do not claim it—

Mr. HARDWICK. But about this statement I am now going to make, which the gentleman has not heard.

Mr. GROSVENOR. I will hear your statement.

Mr. HARDWICK. I say I know you will claim that the Democrats did it, because I think it is true that they did it. It is a matter of fact that according to the records the State of Ohio, by the action of its legislature, attempted to reject or to reconsider—they said it could not be done—its agreement to the fifteenth amendment.

Mr. GROSVENOR. The fourteenth. I think they rejected the fifteenth amendment.

Mr. HARDWICK. Yes; and you withdrew your assent to the fourteenth.

Mr. GROSVENOR. That was Democratic politics.

Mr. HARDWICK. Yes; I knew you would say that. I think it was very good politics.

Mr. WILLIAMS of Mississippi. It was the will of the people of the State of Ohio.

Mr. WATSON. I should like to ask the gentleman a question or two.

Mr. HARDWICK. If I have the time.

Mr. WATSON. The gentleman spoke of the criminal classes among the negroes, and discussed the question whether the persons who committed the crimes were educated or illiterate negroes.

Mr. HARDWICK. The report published by the president of the Agricultural and Mechanical College of North Carolina is the only report I have been able to find that gives the number of educated and the number of uneducated negro criminals. You will find it in that report.

Mr. WATSON. But in no other State?

Mr. HARDWICK. It gives it for the entire Union and every State in it.

Mr. WATSON. Now, I should like to ask this further ques-

tion: The gentleman has stated that increasing education among the negroes makes an increasing tendency to crime?

Mr. HARDWICK. Yes.

Mr. WATSON. And an increasing number of criminals.

Mr. HARDWICK. Yes.

Mr. WATSON. Does the gentleman as a necessary sequitur to that statement believe in the discontinuance of all schools for the education of the colored people of the South? Does he believe in the discontinuance of the institute at Tuscokee, Ala., and does he believe in the discontinuance of the publication of all magazines and newspapers by and for the colored people?

The CHAIRMAN. The time of the gentleman has expired.

Mr. HARDWICK. If I had time I would like to answer the gentleman.

Mr. LIVINGSTON. I yield the gentleman two minutes more.

Mr. HARDWICK. I will answer the gentleman—certainly not. But here is what I do say: The ordinary education of the negro, and certainly the higher education of the negro—I mean the college education, Greek and Latin, and the higher education—at least unfits him for work. It discontents him with conditions. It makes him ambitious to do things that he can not do in the South or in any other part of this country and to gratify aspirations that no white people will ever permit him to gratify, and for that reason education of that character is not beneficial to him, in my humble judgment.

Mr. LIVINGSTON. I now yield thirty minutes to the gentleman from Arkansas.

Mr. HARDWICK. I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GROSVENOR having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

- S. 588. An act granting an increase of pension to Wilber F. Little;
- S. 3452. An act granting an increase of pension to Charles Male;
- S. 2337. An act granting an increase of pension to Louise Chandler;
- S. 386. An act granting an increase of pension to Homer D. Wells;
- S. 3408. An act granting a pension to Lizzie Breen;
- S. 2596. An act granting a pension to Frances S. Hopkins;
- S. 3645. An act granting an increase of pension to Frances Hall;
- S. 962. An act granting an increase of pension to Jennet Thoits;
- S. 3130. An act granting an increase of pension to Nathan P. Bowman;
- S. 2965. An act granting a pension to John Herzinger;
- S. 3274. An act granting an increase of pension to Jennie Long;
- S. 2215. An act granting a pension to Sallie H. Hoffecker;
- S. 3038. An act granting an increase of pension to Joseph H. Kennedy;
- S. 2688. An act granting an increase of pension to George M. Linch;
- S. 2889. An act granting an increase of pension to John Beaird;
- S. 2940. An act granting an increase of pension to Margaret Liddle;
- S. 2560. An act for the relief of G. G. Martin;
- S. 2177. An act for the relief of Daniel H. Snyder;
- S. 2433. An act to amend the military record of John H. Skinner;
- S. 228. An act for the relief of William H. Hugo;
- S. 2357. An act to correct the military record of Samuel F. Hall;
- S. 1330. An act granting a pension to Jerry S. Fish;
- S. 3054. An act granting an increase of pension to Kate M. Strange;
- S. 2198. An act granting a pension to Thomas Ivin;
- S. 1597. An act granting a pension to Rosa D. Mayhew;
- S. 1937. An act granting a pension to Samuel Richards;
- S. 2103. An act granting an increase of pension to John L. McVey;
- S. 2924. An act granting an increase of pension to Samuel E. Cormany;
- S. 2955. An act granting an increase of pension to John Hogarth Lozier;
- S. 3291. An act granting an increase of pension to John Olson Bakken, alias John Olson;
- S. 3400. An act to amend the act entitled "An act granting a pension to Flora Stanton Kalk," approved February 25, 1899;
- S. 3423. An act granting an increase of pension to Joseph H. Ottey;

- S. 2441. An act granting an increase of pension to Frank Lee;
 S. 2561. An act granting an increase of pension to Mathias S. Friend;
 S. 2289. An act granting a pension to Louisa R. Chitwood;
 S. 2239. An act granting an increase of pension to Theodore E. Chatfield;
 S. 2445. An act granting an increase of pension to George M. Waters;
 S. 1627. An act granting an increase of pension to Alonzo R. Kibbe;
 S. 1532. An act granting an increase of pension to Electa Allen;
 S. 846. An act granting an increase of pension to Catharine W. Collins;
 S. 2557. An act granting a pension to Johniken L. Mynatt;
 S. 2558. An act granting an increase of pension to Sallie H. Kincaid;
 S. 70. An act granting an increase of pension to John G. Brown;
 S. 89. An act granting an increase of pension to James M. Markham;
 S. 693. An act granting an increase of pension to Charles W. De Rocher;
 S. 2948. An act granting an increase of pension to George Hyde;
 S. 2087. An act granting an increase of pension to George Rilea;
 S. 312. An act granting an increase of pension to John F. Oviatt;
 S. 317. An act granting an increase of pension to Mortimer Hallett;
 S. 2841. An act granting a pension to Jane Patterson;
 S. 148. An act granting an increase of pension to Benjamin H. Smalley;
 S. 154. An act granting an increase of pension to Hugh T. Crockett;
 S. 2216. An act granting an increase of pension to Charles Reed;
 S. 153. An act granting an increase of pension to William W. Turk;
 S. 156. An act granting an increase of pension to Harriet L. Ford;
 S. 2217. An act granting an increase of pension to Henry C. Riggs;
 S. 133. An act granting an increase of pension to Elizabeth B. Sarson;
 S. 893. An act granting an increase of pension to William W. Angelo;
 S. 968. An act to grant an honorable discharge from the military service to Robert C. Gregg;
 S. 446. An act granting an honorable discharge to William S. Dunn;
 S. 2999. An act granting an increase of pension to Melvina C. Buzzell;
 S. 1678. An act granting an increase of pension to Rudolph Reinhart;
 S. 900. An act granting an increase of pension to Daniel M. Smith;
 S. 2429. An act granting an increase of pension to John Dow;
 S. 59. An act for the relief of Charles W. Howard;
 S. 54. An act for the relief of William B. Barnes;
 S. 57. An act for the relief of Laura S. Gillingwaters;
 S. 58. An act for the relief of James W. Howell;
 S. 62. An act for the relief of Richard C. Silence;
 S. 63. An act for the relief of Charles Stierlin;
 S. 60. An act for the relief of Gottlieb C. Rose;
 S. 64. An act to correct the military record of William B. Thompson;
 S. 746. An act to remove the charge of desertion from the military record of Charles K. Bolster;
 S. 970. An act to authorize the President to revoke the order dismissing William T. Godwin, late first lieutenant, Tenth Infantry, United States Army, and to place the said William T. Godwin on the retired list with the rank of first lieutenant;
 S. 2688. An act granting an increase of pension to George M. Linch;
 S. 2870. An act granting an honorable discharge to John W. Tiffany;
 S. 820. An act to provide for the construction of a memorial bridge across the Potomac River from Washington to the Arlington estate property;
 S. 1842. An act to provide for compensation for certain employees of the Treasury, War, and Navy Departments;
 S. 3373. An act granting a pension to Eliza Williams;
 The message also announced that the Senate had passed without amendment bills of the following titles:
 H. R. 5841. An act granting an increase of pension to Abram Wilson;
 H. R. 4200. An act granting an increase of pension to Milton H. Sweet;
 H. R. 864. An act granting an increase of pension to Albert Moulton;
 H. R. 1856. An act granting an increase of pension to Alexander H. Covert;
 H. R. 2108. An act granting an increase of pension to Henry D. Wright;
 H. R. 5559. An act granting an increase of pension to Josephine C. Chase;
 H. R. 3472. An act granting an increase of pension to Marcus E. Amsden;
 H. R. 5464. An act granting an increase of pension to Francis M. Northern;
 H. R. 6975. An act granting an increase of pension to George W. Lawson;
 H. R. 2690. An act granting an increase of pension to Thomas Kelly;
 H. R. 7002. An act granting an increase of pension to James S. Rearden;
 H. R. 2139. An act granting an increase of pension to James W. Knight;
 H. R. 1908. An act granting an increase of pension to Harvey D. Barr;
 H. R. 895. An act granting an increase of pension to Margaret M. Walker;
 H. R. 2472. An act granting an increase of pension to David F. Lewis;
 H. R. 2188. An act granting an increase of pension to Richard L. Cook;
 H. R. 6932. An act granting an increase of pension to Harvey R. King;
 H. R. 2042. An act granting an increase of pension to Alvin B. Hubbard;
 H. R. 6830. An act granting an increase of pension to Charles E. Likes;
 H. R. 3013. An act granting an increase of pension to John A. Mavity;
 H. R. 6619. An act granting an increase of pension to Benjamin R. Little;
 H. R. 3778. An act granting an increase of pension to Juliaetta Rowling;
 H. R. 4916. An act granting an increase of pension to Allen M. Pierce;
 H. R. 5043. An act granting a pension to William H. Harrison;
 H. R. 3001. An act granting an increase of pension to Alpheus Converse;
 H. R. 4115. An act granting an increase of pension to Joseph S. Young;
 H. R. 3000. An act granting an increase of pension to William C. Best;
 H. R. 942. An act granting an increase of pension to James F. Hardy;
 H. R. 616. An act granting an increase of pension to Sarah S. Chrysler;
 H. R. 957. An act granting an increase of pension to Alonzo Carpenter;
 H. R. 5177. An act granting an increase of pension to William H. Clark;
 H. R. 661. An act granting an increase of pension to Elizabeth E. Meckly;
 H. R. 2155. An act granting an increase of pension to Charles W. Bechstedt;
 H. R. 6004. An act granting an increase of pension to William C. Lyon;
 H. R. 5197. An act granting an increase of pension to William C. Brown;
 H. R. 2991. An act granting an increase of pension to Lydia A. Topping;
 H. R. 1288. An act granting an increase of pension to Jason Stevens;
 H. R. 196. An act granting an increase of pension to Grace E. Carson;
 H. R. 4319. An act granting an increase of pension to John Sexton;
 H. R. 6441. An act granting an increase of pension to Peter Fillion;
 H. R. 3821. An act granting an increase of pension to Hannah Padgett;
 H. R. 5010. An act granting a pension to Mary F. Hamilton;
 H. R. 2616. An act granting an increase of pension to Joseph K. Welt;
 H. R. 5521. An act granting an increase of pension to Charles S. Clark;
 H. R. 5246. An act granting an increase of pension to Sebastian B. Elliott;
 H. R. 1517. An act granting an increase of pension to George W. Hutchison;
 H. R. 5005. An act granting an increase of pension to Worthington S. Lock;

H. R. 1184. An act granting an increase of pension to William F. Longenhagen;

H. R. 7370. An act granting an increase of pension to Andrew Ivory;

H. R. 930. An act granting an increase of pension to Thomas M. Parkison;

H. R. 227. An act granting a pension to Margaret Cotter;

H. R. 7666. An act granting an increase of pension to Laura F. Hine;

H. R. 4726. An act granting an increase of pension to Samuel B. Brightman;

H. R. 907. An act granting an increase of pension to De Witt C. Parker;

H. R. 722. An act granting an increase of pension to Zechariah B. Stuart;

H. R. 4935. An act granting an increase of pension to Edward T. Miller; and

H. R. 990. An act granting an increase of pension to Harrison W. Fox.

The message also announced that the Senate had passed with amendment bills of the following titles; in which the concurrence of the House of Representatives is requested:

H. R. 5176. An act granting an increase of pension to Alonzo Dutch;

H. R. 6022. An act granting an increase of pension to George W. Travis;

H. R. 6331. An act granting an increase of pension to James M. Dickey;

H. R. 3776. An act granting an increase of pension to Alfred I. Judy;

H. R. 892. An act granting an increase of pension to Abram H. Hunt;

H. R. 958. An act granting an increase of pension to Alfred H. Rogers;

H. R. 468. An act granting an increase of pension to Henry Christy; and

H. R. 3903. An act granting an increase of pension to George C. Sherman.

URGENT DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

Mr. MACON. Mr. Chairman, it is not my purpose in the thirty minutes kindly allotted me by the gentleman in charge of this bill to make a political speech. In other words, I do not think political speeches amount to much here. They are made upon one side and answered upon the other, and it is virtually a throwing backward and forward of something that has no material effect upon this body. Evidently they are made for the purpose of distribution at home, for the purpose of vote getting there; but as I understand it, the Members who have been elected to this Congress are here for the purpose of doing business, for the purpose of legislating for their country, and as they fulfill that measure their works will stand or fall. If they have legislated in a way that is contrary to the wishes of the people, as I understand it, the people, when they have an opportunity to express themselves at the polls, will, by their ballots, condemn their conduct here and will pay no special attention to any speech which has been made for political purposes only.

But, sir, a few things have been said along political lines that I beg the pardon of the committee for alluding to. This morning the gentleman from Nebraska [Mr. BURKETT] said the Democratic party while in possession of the affairs of the Government conducted them in such a manner that it did not have money enough to do the business of the country and hence failed as an Administration. Sir, I understand from the history of the country that when Mr. Cleveland was elected President in 1884, the first Democratic President that the country had seen since Mr. Buchanan yielded to Abraham Lincoln in 1861, the Treasury of the Government was depleted to a point that greatly embarrassed it in the discharge of the duties devolving upon it, and that Mr. Cleveland took charge of it in that condition and during his four years of service as President of the Union he accumulated quite a large amount of revenue, called "the surplus." I remember full well that during the campaign of 1888 the question was often asked, "What shall we do with the surplus?"

Mr. WILLIAMS of Mississippi. I understand the gentleman to say that that was the cry at the end of Cleveland's Administration—that he had accumulated a revenue. It was really the cry at the end of Cleveland's first Administration.

Mr. MACON. Yes, that was the cry even before the end of Cleveland's first Administration. Mr. Harrison then came into office as a Republican President and at a time when the whole country was wondering what was to be done with the surplus that the Democratic President had, by an economical and honest ad-

ministration, accumulated within the period of four years. But the question as to the disposition of it was settled as soon as it was known that Mr. Harrison had been elected. The cry that went up was, "God save the surplus!" We all remember that. It had gone into the hands of the Republican party. Therefore the expression so universally heard, "God save the surplus!" During the Administration of Mr. Harrison we know that the surplus was exhausted and that when he went out of office he had directed that plates be prepared with which to print bonds for the purpose of getting money to run the affairs of the Government upon, and we all know that Mr. Harrison attributed his defeat for a second term to the depressed times, the hard conditions of our country, and the scarcity of money to do the business of the country upon. That was what he was defeated on by Mr. Cleveland in 1892.

Therefore I say, gentlemen, that the charges made upon the other side of the House to the effect that when Democracy was in power we wasted the surplus of the country and so administered the affairs of the Government that it did not have money enough to do the business of the country upon is contrary to the history of the country as it existed at the time.

If I am wrong in my declarations I specifically invite some one upon the Republican side to correct me in regard thereto. Mr. Cleveland then came into office on March 4, 1893, for a second Administration. He again found the Treasury in a depleted condition, with stamps already made for the purpose of issuing bonds to be sold to get money to administer the affairs of the Government upon, and that, too, during a period of absolute peace.

But, sirs, I do not want to dwell upon the subject of politics. I am simply repeating some of the arguments offered by the gentleman from Nebraska this morning, and offering such refutations thereto as are warranted by the facts in the case; and, sirs, I now repeat that if I am incorrect in my statements about conditions that existed during the periods mentioned, you now and here have opportunity to show that I am not stating the facts as shown by the records of our country. It is not my purpose to deceive—to argue against facts as they existed at the time and as they are expressed upon the pages of history.

I heard the gentleman from Illinois [Mr. BOUTELL] deliver a speech on yesterday that I enjoyed from the moment he parted his lips until he closed them, and just here I want to say I have heard a great many good things come from the Republican side of this Congress since I have been a Member of it, and if you will pardon me and not consider that I am speaking for personal purposes, I will say that my estimate of the Members who sit on the Republican side of the House has been considerably elevated since I have had the pleasure of associating with them. [Applause from the Republican side.] I believe, sirs, that you intend to do right, and that if you do wrong, in the main, it is because of erroneous ideas and faulty judgment. But now and then we find an individual Member upon that side who, for "Cheap John" political purposes, makes declarations that are not borne out by the facts, and hence it becomes necessary for us who occupy the minority side to resist such things in so far as to deny them and to furnish facts to refute them, and that far it pleases me to go, but no further.

As I said, I enjoyed the speech of the gentleman from Illinois yesterday, and I especially enjoyed that part of it that referred to the great prosperity of Arkansas. Arkansas, in my judgment, is one of the greatest States in the matter of natural resources and good citizenship that the world has ever known. She is only lacking in development, but the time has come when her superior resources are being made known everywhere, and men of means and sense are flocking to her plains and peaks to take advantage of the wonderful opportunities she is unfolding to eager humanity. She is beckoning men from every land and every clime to come to her rich fields and splendid mines and dwell among her happy people. I want to say to the gentleman from Illinois, however, that the prosperous condition that he spoke of as existing in Arkansas does not result from the high protective tariff of the Republican party.

I defy him to point to a single community in the State of Arkansas that has been benefited, to the extent that he contends, by reason of the Dingley tariff act. Our prosperity has been produced by the strong and willing arms of those who hold the plow, pick the cotton, husk the corn, and dig deep into the mines. We have increased that prosperity by reason of the fact that we have an economical people—a people who are willing to struggle and to strive in order to benefit their condition—and all they ask in this world is that you keep your hands off of them and allow them to run the race of life as God Almighty intended them to run it, untrammelled by interference from the outside. In regard to the question of which the gentleman from Georgia [Mr. HARDWICK] has just spoken—the negro question—I will say that if you will let Arkansas alone she will take care of the negro question, and she will do it without prejudice to the negro. Nobody can say here or elsewhere that Arkansas has ever enacted a law that

denies the negro an equal right with me in the worship of God, the pursuit of happiness, or the acquisition of property.

Her election law provides that the negro who pays his poll tax as I do has the same right to go to the polls and vote that I have, and, sirs, the amount paid as a poll tax goes to the common school fund, for the purpose of educating his children along with mine, and therefore I say that nothing that has been said upon the floor of this House concerning election laws or the negro question can possibly be turned upon my great State. Her policy is to do right along all lines, and all she asks is, as I said a moment ago, that you let her alone and let her administer her own affairs in her own way, and she will do it without prejudice to any of the peoples of the earth. She allows you to proceed in your own way about all matters and things that concern your own States and is not impudent enough to make suggestions to you or offer interference in connection therewith.

We have had the negro among us all of our days, and you can not find a true southern man in that State that will not fight for him when he sees that his rights are being imposed upon. When free from the influences of "long-haired men and short-haired women," the negro is happy and contented, and they go to their worship or their toil with a song upon their lips and a smile upon their faces. Let the colored people of Arkansas alone, and they will never rise up and complain of the conduct of a truly southern soul.

Mr. Chairman, I beg pardon for the digression that I have made in my speech. I did not rise to make a political speech or a speech upon the negro question. My purpose is to present a question to the House that I consider of much greater consequence, of a much higher and more holy character than either of the questions that I have just touched upon. I introduced a bill in this Congress, the title of which reads as follows:

To prohibit the granting or issuing of revenue license for the sale or giving away of intoxicating liquors, wines, spirits, etc., in any district or territory of any of the several States or Territories of the United States of America where the sale or giving away of such intoxicating liquors, wines, spirits, etc., are prohibited by the laws of said States or Territories.

Various States in this Union have enacted laws governing the question of issuing a license to sell intoxicating liquors. In the State of Arkansas, that I speak for directly, it is provided by State enactment that where a majority of the voters of a township or county express themselves against license none shall be issued in said township or county. It is provided further that where a majority of the adult residents in a given locality petition the county court against the issuing of license for the sale of liquors within 3 miles of a given schoolhouse or church that none shall be issued. About one-half of the counties of the State have said by their votes that they are opposed to the issuing of a license to sell liquors in their respective communities. Many of the counties that have not so expressed themselves at the polls have within their borders churches and schoolhouses, a majority of whose adult attendants and patrons have signed a petition against the issuing of license to sell liquor within the 3-mile territory, and the various county courts have entered orders prohibiting the sale thereof in accordance therewith.

If the States are left to themselves they can be very effective in the matter of enforcing their local-option laws, but when interfered with by the issuing of a national license by the Government to sell liquor in the prohibited territory they have an uphill pull along that line. In morals, when the Government issues a license to sell liquors in territory that is prohibited by State law it becomes an accessory before the fact to a crime, so to speak, because it is a crime against the State whenever a person sells liquor contrary to the laws of the State. Therefore, as I see it, the Government is to-day an accessory before the fact in every community in the United States where it issues a license to some one to commit a crime against the laws of a State by selling intoxicating liquors in communities where it is specifically declared by State law that it shall be unlawful to sell them. I do not believe that it is the desire of the legislators of this great nation that our Government shall occupy such an unenviable attitude.

Ah, but you say, gentlemen, why do these people sell it in defiance of law—State law? I say, in answer to that, for the simple reason that they are encouraged to do so by the issuing of a license to them by the Government. It is upon the same principle that a child will become reckless and uncontrollable and absolutely defy the authorities of communities if it is encouraged to do so by a thoughtless parent. The child thinks the parent more powerful and of greater consequence than the rest of the world combined, and so the "blind-tiger" man thinks that when his parent government authorizes him to commit certain acts, no matter how much in violation of the law of the community in which he lives, that he is measurably justified in so violating the local laws. He feels that the power behind him is greater than that against him, and hence he shuts his eyes to local laws and local influences and becomes a "blind tiger" in defiance of local authorities.

Mr. GROSVENOR. Will the gentleman yield to me for a question?

Mr. MACON. With pleasure.

Mr. GROSVENOR. Will the gentleman from Arkansas have the special tax on liquor sellers repealed?

Mr. MACON. No, sir; I would not.

Mr. GROSVENOR. The gentleman would continue the license, then?

Mr. MACON. I would not continue it in prohibited territory, where States and Territories prohibited the sale of it.

Mr. GROSVENOR. But suppose some day the local option should terminate by the action of the people in that locality.

Mr. MACON. Then the Government would be at liberty, under the law, to issue a license the very next hour.

Mr. GROSVENOR. Does not the gentleman use the wrong word when he speaks of a "license?"

Mr. MACON. I understand that anything that gives a person the privilege to sell liquor is a license to do so.

Mr. GROSVENOR. But does it give a person the privilege to do anything of the kind? It simply taxes him if he does sell it, but it gives him no authority.

Mr. MACON. In our State we call it a license.

Mr. GROSVENOR. I know, but the courts have said that it did not authorize him to sell in violation of law. The gentleman having been a law officer knows that there is no immunity for doing a thing under a license if the government that issues the license is incompetent to do so, and that the liquor seller is not thereby protected by the payment of the special tax imposed upon him by the government in any locality where he is forbidden by law to sell.

Mr. MACON. Not from the penalties of the State law.

Mr. GROSVENOR. And the United States statute expressly provides that the certificate of the fact that he has paid his tax shall not be a license to sell. The receipt itself so reads, and he is notified when he pays his tax that it is not a license and gives him no authority anywhere.

Mr. MACON. Will the gentleman from Ohio say that the courts of the United States will interfere with his selling it in prohibited territory after it has furnished him with a certificate?

Mr. GROSVENOR. They will not interfere with it, nor will they protect it.

Mr. MACON. But does not the Government say to him in terms, "We will be hands off; we hand you this certificate for so much; we are hands off; now go and sell when and where you please?"

Mr. GROSVENOR. Wherever the Government of the United States has jurisdiction it will punish a man. It will punish him in this city and it will punish him in the Territories, and it will punish him anywhere in the United States if he sells without paying the license.

Mr. MACON. That is exactly what I am trying to get this Congress to do—to provide by law that no license shall be issued to anyone to sell liquors in prohibited territory, so that when they do sell the Government will prosecute them for so doing.

Mr. GROSVENOR. Or tax.

Mr. MACON. Well, call it tax, if you please.

Mr. GROSVENOR. He commits one crime by selling without having paid the tax.

Mr. MACON. Yes.

Mr. GROSVENOR. He commits another crime against another jurisdiction if he violates the law of a State, and he can, therefore, as it has been held over and over again, be twice tried for a single act. That is one of the anomalies of our criminal statutes.

Mr. MACON. I understand that, and that is just what I have introduced this bill for—to stop that sort of anomaly.

Mr. GROSVENOR. I am not complaining of the bill. I am complaining only of the gentleman's charging that this great Government is licensing a man to sell liquor.

Mr. MACON. I will take that back, if it would please the gentleman from Ohio.

Mr. GROSVENOR. It would please me very much.

Mr. MACON. And say that it is allowing him, by reason of the fact that he pays a tax to it, to go into prohibited territory and violate State and Territorial laws with the distinct understanding that he will not be interfered with on the part of the Government, no matter how vicious and debauching his business becomes.

Mr. GROSVENOR. The Government does not allow him to sell, and the Government notifies him that it is not an allowance to sell. When he pays the money for taxation, the Government says to the man: "This shall not be an authority to you to violate the local statute of a State or city or town." It says so in distinct terms, just exactly as when the government of Arkansas puts a tax on your horse it still allows you to run that horse in a race, and you may violate the law of Arkansas by betting on that horse, but it gives you a receipt for the tax that you have paid on your

horse. The State of Arkansas taxes your house, but it does not allow you to keep a gambling institution in that house. That is the distinction I am trying to draw, that the government that taxes property or an occupation by no means licenses or countenances or authorizes the continuation or doing of an act in violation of a local statute of the State or municipality, nor yet of the United States Government.

Mr. MACON. In response to what the distinguished gentleman from Ohio has said, I will say that whenever the strong arm of this Government issues to anyone a certificate saying that it will not interfere with his transactions when he violates a State or Territorial law in the business that he is engaged in, such as the selling of liquor, then and there it puts an instrument in his hands to do a thing that is in violation of local law. In other words, I contend most earnestly that such a proceeding is an inducement to him to engage in an illegitimate business. He feels that the Government of the United States is behind him, to the extent at least that he has its sanction to engage in the business and an assurance from it that it will keep the hands of its officers off of him.

Mr. GROSVENOR. But the Government has notified the taker of that certificate that it will not protect him.

Mr. MACON. I think I will be able to satisfy the gentleman in my argument before I get through. I recognize the fact that the Government does not notify him that it will protect him against the State law, but it says, "You have my permission to sell in defiance of State law."

Mr. GROSVENOR. It does not say anything of the kind, if the gentleman will allow me. It utters no word to him except that he has paid the money and that the payment of the money is not a protection to him against the violation of law.

Mr. MACON. That is a quibble upon words.

Mr. GROSVENOR. It is the receipt for the tax.

Mr. MACON. I insist that it is a quibble upon words, pure and simple.

Mr. GROSVENOR. Is a receipt for the tax on your revolver, if you have one, an encouragement to you to go and shoot somebody with that revolver?

Mr. MACON. If the Government, for the payment of a tax, were to give me a certificate or receipt for the money that justified me in its estimation in going and killing people with my revolver, I say to you that, as an ordinary man, I would be much more likely to kill people than I would if I had no authorization from so great an institution to commit such diabolic offenses. Anything that is sanctioned or condoned by a strong power like our Government is an inducement to ordinary mortals to do that which they would not otherwise think of doing.

If the Government of the United States had a law saying that unless I paid a special tax I could not carry a pistol, and I was more afraid of the courts of the United States than I was of the local courts, I would, when the tax was paid and the certificate authorizing me to carry it given, be stimulated to a degree to put the pistol in my pocket and take my chances with the local courts. Upon the same principle, when the Government of the United States says to its citizens, "If you will pay a certain amount of money the Government will allow you, so far as it is concerned, to engage in the 'blind-tiger' traffic in violation of local law," it is necessarily an encouragement to them in their nefarious and illicit practice. Again, gentlemen of the House know that every man who violates law in this country would rather violate the local than the national law, especially where there is a punishment fixed for the violation of the law, he not being a corporation prince or a trust king.

Mr. GROSVENOR. Will the gentleman allow me a moment? As I understand his proposition, the officer whose duty it is to collect the tax may refuse to give the certificate.

Mr. MACON. Yes, sir. I not only want him to refuse to give the certificate, but I want him to be denied the right to give it to anyone and collect money therefor, call it tax money or what you will, in prohibited territory.

Mr. GROSVENOR. But if the man goes into that kind of territory and sells in violation of the United States statute, then he may be punished for it.

Mr. MACON. Of course he will be punished for it by the United States courts, if the Government officials have not granted him the right by reason of the collection of a tax to go into it and violate the law. I hope the gentleman will allow me to finish my argument, and if when I have completed it there is anything I have left out that he wants to know about the bill I will thank him for calling my attention to it.

Mr. GROSVENOR. It is not what you "left out" that I am complaining of, but what you put in.

Mr. MACON. Well, I want to "put in" a little more. [Laughter.] The gentleman has interfered with the thread of my argument to the extent that I have not been able to connect the links so as to make a complete chain. The gentleman from Ohio has

taken up so much of my time that I will have to ask the House to be patient with me.

[Here the hammer fell.]

Mr. MACON. I understood I was to have thirty minutes.

The CHAIRMAN. The gentleman has occupied thirty minutes.

Mr. MACON. I have been interrupted so much that I have not had the opportunity to make the speech I would have liked to make upon this subject, and I would be glad to have a little more time. I want the gentlemen of the House to hear every phase of this question, as I believe it is one of great moment and ought to appeal to every head and heart in the United States.

Mr. LIVINGSTON. I yield the gentleman ten minutes more.

Mr. MACON. Mr. Chairman, it is not my purpose to abuse the men that engage in the "blind-tiger" business or to accuse them all of being bad at heart. I have known some of them who would travel through sunshine or shadow, through fair weather or through storm, in order to do a good deed; but for some unknowable reason some men will engage in that kind of business. Usually they are what are termed "good fellows," and are ready to divide their last piece of bread with the foot-sore wayfarer. Hence there is always some one, and justly so, to say a kind word for them as individuals, no matter how much they decry their business.

Always having adherents in the communities in which they live, they feel that if they can get the sanction of their National Government to engage in the illicit sale of liquor they will take chances as against the local law. They know that they are to be tried by men of their immediate locality, and they think that when they face the jury they will see some one on it, perhaps, for whom they have performed some personal service and who they believe will give them the benefit of any sort of doubt, and it is a fact that in many cases, just because the accused is a "good fellow," some one will be found on a local jury who will hang it or force an acquittal. Or, suppose he is convicted. The offender and his friends can go to the governor and appeal to him in a pathetic way with great hope of success in getting him a pardon. These same men know very well that when they are tried under the laws of the United States the marshal is not elected by them and is under no obligation to them; they know that they are tried by persons who come from all over a large district and who are not in personal sympathy with them or their local conditions—for whom they have performed no service of any kind or character, and therefore have no reasons to look to them for any sort of favor. They also know that when convicted they have to go a long, long way to reach the President's ear, and they know, further, that his time is so employed by great questions of state that he can not afford to pay any attention to those who knock at the White House door seeking pardons for having violated the revenue laws of the country. The knowledge of such facts deters them from engaging in the "blind-tiger" business. In other words, they are afraid of the United States courts. Under the present practice of the Government these parties often defeat justice, even in the United States courts, and laugh about it after it is done.

For instance, they buy a license, or pay a tax, as the gentleman from Ohio [Mr. GROSVENOR] would have it called, for three months, and they sell the year round under that special privilege. When a witness is brought before the grand jury and informs upon them and the party that he appears against is indicted and brought to trial, the witness is put upon the stand, and during the course of the examination he is asked to specifically name the time that he bought intoxicating liquors from the accused. He may reply that he bought it in July, but is not positive as to the time. Then he will be pressed to know if the purchase might not have been made in April, May, or June, or some other time than the month of July. He usually has some doubt about whether it was in July, as he thought, or at some other time, and in that condition he is dismissed. The accused is then put upon the stand, and he says that he remembers well that he sold the liquor to the prosecuting witness at a specific time, being sure to name a time that is covered by his tax receipt, as the gentleman from Ohio would call it, and he then exhibits his receipt, showing that he has paid the revenue for the quarter beginning with April and ending with June. That leaves the matter in such condition as that the court would not allow a conviction to stand in his case. Hence the prosecution has been a farce, and the accused can well afford to go out and laugh.

Mr. Chairman, I assert with all the seriousness of my nature that the enforcement of the local-option laws of this country is a mere farce and will be so long as the Government issues a tax receipt, certificate, license, or anything else the gentleman from Ohio cares to call it, that clothes them with immunity from the Federal courts, no matter how flagrantly they may violate the local-option laws of the various States and Territories. Pass the kind of law that I now propose and "blind tigers" will take to the woods. They will "hunt tall timber," as the old say-

ing is, and the social conditions of every community in this fair land will be cleared up and made manifestly better by reason thereof. The "blind-tiger" man does no good for himself, for if he persists in his business he usually reaches an untimely grave and leaves a homeless and poverty-stricken family behind him. He poisons the social atmosphere of every community in which he exists. He debauches manhood and makes perjurers of some of our best young men, young men who, if left free from such baneful influences, would adorn society and fill the high places of our country. He causes salty tears to trickle down the wrinkled cheeks of devoted old mothers. He sticks daggers into the hearts of loving wives and sisters. He causes children to shiver with cold and to suffer with the pangs of hunger. He brings sorrow, but no joy. He makes criminals, but no Christians. He can not thrive in any community where the States or Territories authorize by license the sale of liquors, and he can not thrive in prohibited territory if the Government will take from him the authority that it gives him to invade the sanctity of those communities and to violate the sacredness of local laws. He is an enemy to himself, his family, and his country, and hence there is no reason that I can conceive of for his existence upon the face of the earth.

I am not talking against the individual, but I want to do and say everything I can against his illegitimate business. This is not a Democratic or a Republican question. It is one that concerns every man alike, whether he be white, black, red, or of other complexion. It concerns every mother, wife, sister, and babe in the broad land, and no one will have the temerity to say that if enacted into law it will not be beneficial to every community within these United States. The only argument that I have heard against the passage of the bill is that it will cut off a portion of our revenue. Gentlemen, you have heard of the cry of blood money all your lives. In my judgment no money was ever stained with redder blood than that which comes to the Treasury of the United States through the "blind-tiger" channel. Every dollar of it is dyed with the red blood that is wrung from the hearts of the women and children of this country, and no matter how deep they may sink it in the "till," the stain will not be removed, and it can not escape the sound of the heart-rending walls that inveigh against it.

I have taken up too much of your time in talking about this matter, I know, and yet I have not said half that I would like to say upon the subject. I ask you to investigate every phase of the question; to sound the communities in which you live and see whether or not it is the wish of your people to have the United States Government grant a privilege to persons to sell liquors in the various communities contrary to the laws of the State or Territory in which they are situated. If you find that the bill is in the interest of humanity; if you believe it is to the interest of social conditions and happy homes, I beseech you to pass it, and all the people who live in communities where the blind-tiger pest now abides will rise up and call you blessed. [Applause.]

Mr. Chairman, I ask leave to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent to extend his remarks in the RECORD. Is there objection? The Chair hears none, and the request is granted.

Mr. HEMENWAY. Mr. Chairman, the time so far taken has been about equally divided. The gentleman from Georgia [Mr. LIVINGSTON] used ten minutes more time than has been used on this side. I am going to ask that the committee rise temporarily, so that I may obtain unanimous consent for an extension of time. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. GROSVENOR having taken the chair as Speaker pro tempore, Mr. LACEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the urgent deficiency bill, and had come to no resolution thereon.

Mr. HEMENWAY. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. CHARLES B. LANDIS] be given time in which to address the Committee of the Whole, and that the amount of time occupied by him be granted to the gentleman from Georgia [Mr. LIVINGSTON], to distribute as he desires, after the gentleman from Indiana [Mr. CHARLES B. LANDIS] has concluded.

The SPEAKER pro tempore. The gentleman from Indiana asks unanimous consent that an extension of time be given to the gentleman from Indiana [Mr. CHARLES B. LANDIS] to address the Committee of the Whole House on the state of the Union on the pending bill, and that an equal amount of time be given to the gentleman from Georgia [Mr. LIVINGSTON], to be disposed of as he may see fit. Is there objection?

Mr. HEMENWAY. And I will ask to add to that the request that upon the conclusion of that time the general debate shall close.

The SPEAKER pro tempore. And that at the conclusion of that length of time the general debate upon the measure shall be closed. Is there objection?

There was no objection.

Mr. HEMENWAY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the urgent deficiency bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. LACEY in the chair.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. GROSVENOR having taken the chair as Speaker pro tempore, a message in writing from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries, who also informed the House of Representatives that the President had approved bills and joint resolutions of the following titles:

January 21, 1904:

H. R. 7273. An act to enable the city of Phoenix, the town of Tempe, and the town of Mesa, all in Maricopa County, Ariz., severally to issue the bonds of said municipalities for the purpose of aiding in the construction of a freighting and wagon road from any convenient point in the Salt River Valley to the Salt River reservoir dam site in Maricopa County, Ariz.

January 23, 1904:

S. 6. An act granting a pension to Cora M. Converse;
S. 7. An act granting an increase of pension to Alfred Woodman;
S. 8. An act granting an increase of pension to Perry Kittredge;
S. 11. An act granting a pension to John L. Sullivan;
S. 65. An act granting an increase of pension to Charles R. Allen;
S. 112. An act granting an increase of pension to Henry G. Hammond;
S. 172. An act granting an increase of pension to Elizabeth McClaren;
S. 338. An act granting an increase of pension to Jane M. Watt;
S. 339. An act granting an increase of pension to Ebenezer H. Richardson;
S. 367. An act granting an increase of pension to George W. Richardson;
S. 1604. An act granting an increase of pension to Mary A. Bishop;
S. 1652. An act granting an increase of pension to Minerva A. McMillan;
S. 1704. An act granting an increase of pension to Lucretia Ritchhart;
S. 1755. An act granting an increase of pension to Thomas Banks;
S. 1756. An act granting an increase of pension to Zebedee M. Cushman;
S. 1772. An act granting an increase of pension to Louise K. Bard;
S. 1819. An act granting an increase of pension to Charles P. Skinner;
S. 1832. An act granting an increase of pension to George W. Herron;
S. 1913. An act granting an increase of pension to Lorenzo E. Harrison;
S. 1929. An act granting an increase of pension to George W. Spahr;
S. 1952. An act granting an increase of pension to John Monahan;
S. 1984. An act granting an increase of pension to Levi Roberts;
S. 1985. An act granting an increase of pension to Jonathan Hites;
S. 2078. An act granting an increase of pension to Hampton C. Watson;
S. 2125. An act granting an increase of pension to Marcus T. Caswell;
S. 2218. An act granting an increase of pension to Amanda B. Tisdell; and
S. 1496. An act supplemental to the act of February 9, 1821, incorporating the Columbian College in the District of Columbia, and the acts amendatory thereof.

January 25, 1904:

S. R. 31. Joint resolution authorizing the erection and maintenance of a monument in memory of the late President, Benjamin Harrison, upon land owned by the United States in the city of Indianapolis, State of Indiana;

S. 652. An act making Chester, Pa., a subport of entry; and
S. 465. An act to amend an act entitled "An act to permit the Pintsch Compressing Company to lay pipes in certain streets in the city of Washington," approved May 19, 1896.

January 27, 1904:

S. R. 32. Joint resolution to fill vacancies in the Board of Regents of the Smithsonian Institution.

URGENT DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

Mr. CHARLES B. LANDIS. Mr. Chairman, I have been very much interested in the line that this debate has taken, political in its character. Beyond everything else we are a political people. The very nature of our institutions makes us such. Political parties in their birth were coincident with the birth of our Constitution, and since that instrument was adopted we have always had two great political parties in this country. I sincerely trust that the time may never come when there will not be two great political parties, the one to keep watch on the other; but if ever there was a time that it seemed as though there were really but one political party, that time is the present.

Back on the Wabash, where I live, there was a farmer who employed at one time an Irishman fresh from across the water. The farmer had come in possession of a water turtle, and he asked Pat the next morning after he arrived to go out in the barn lot and kill the water turtle. I do not know whether all Members of this body are acquainted with the habits, manners, and customs of that creature or not; but it possesses the peculiar ability to walk about after its head is cut off. Pat went out and cut off the head of the turtle. The farmer in the course of a few hours saw the turtle walking around in the barn lot. He said to Pat, "I thought I told you to kill that turtle?" "Yes," said Pat, "you did, and I killed the turtle, and the turtle is dead, but it does not realize it." [Laughter.] I take it that this is the position of the Democratic party largely to-day. It is dead, but it does not realize its condition. But it will realize its condition unless some method be adopted by which the "peerless leader" from Nebraska can be muzzled and taken off the public platform.

Mr. Chairman, if there is any one political proposition that has been established beyond another in this country in the last ten years, it is that the hope of power and the failure to possess power are absolutely essential to cohesion in the Democratic party. Success at the polls is absolutely fatal to the Democratic party. Those were splendid legions that followed Tilden in 1876; those were splendid legions that followed Hancock in 1880; and those that followed Cleveland in 1884, 1888, and 1892. Where are they now? The success of 1892 scattered them—

Mr. LIVINGSTON. Getting together.

Mr. CHARLES B. LANDIS (continuing). And to-day the Democratic party finds itself in the midst of demoralization and humiliation, without a leader and without a man. I was very much impressed by a statement made a short time ago by Mr. William C. Whitney, a well-known Democrat, who lives in New York. He said that at the present time the Democratic party was absolutely without a measure and without a man. By that he did not mean that there were not in the various elements that make up the Democratic party able men; what he did mean was that there was no man who could stand for all the fads and isms represented by the various factions of the Democratic party.

On the other hand, the Republican party is rich in men and it is rich in measures. The Republican party has always been rich in men and it has always been rich in measures.

Mr. LIVINGSTON. Got any money?

Mr. CHARLES B. LANDIS. We always have money under a Republican Administration, even down in the distinguished gentleman's State. [Applause on the Republican side.] And, speaking of men, Mr. Chairman, recalls the fact that there have been great changes in this body since some of us came here in the Fifty-fifth Congress.

We recall the days of that Congress with pride not unmixed with sorrow and can never revert to them with other than feelings of reverence. The four men most conspicuous in our party and most potential in the affairs of government at that time now belong to the ages. William McKinley, our President; Garret A. Hobart, our Vice-President; Thomas B. Reed, our Speaker; Nelson Dingley, our leader. I doubt if four men ever contemporaneously served this Republic who were better fitted to perform their parts than were these four men. They had a great work before them. They were to lead in the work of the restoration of business, which meant the prosperity, the comfort, and the happiness of 70,000,000 people.

How well they performed their work the world knows, and when we laid them away not the slightest stain tarnished the shield of any one of them. McKinley, Hobart, Reed, and Dingley! Certainly even our political opponents ought to concede some virtue to a party which in a few brief months can give to immortality such a quartet as that and still stand with its face to the future more hopeful, more ambitious, more courageous, more nearly invincible than ever before. [Applause.]

What a tribute to the reserve strength of the Republican party! Our leaders go and others step forward to take their places. It has been thus since the days of Abraham Lincoln, and is true be-

cause the principles for which these men have stood have been grounded in truth and political righteousness.

A gentleman who addressed this House a few days ago stated that he could never understand why the people of this country had turned their backs on the Harrison Administration in 1892 and gone over to the Democratic party and changed the policies of the Government. The gentleman's memory must be exceedingly short, for were he to go back and call up the incidents of that campaign it would all seem perfectly plain to him.

Benjamin Harrison and his Administration from 1888 to 1892! Up to that time there was nothing like it in the history of the American Republic; there was more wealth in more homes in 1892 than there had ever been before; there were more people owning their own homes than ever before. Wages were higher than ever before; there were more young men and young women going away to college from the country, from the small towns, and from the cities than ever before; more carpets were on more floors and more pictures were on more walls and more pianos were in more parlors than there had ever been at any time in any country since the stars sang together on the morning of the creation.

But for some unaccountable reason a majority of the American people went to the polls and voted the Democratic ticket. Why did they do it? It was because they were deceived and misled; they did it, Mr. Chairman, because our friends on the other side who led in that campaign falsified and took the people away from the truth. I remember distinctly—

Mr. LIVINGSTON. Mr. Chairman—

The CHAIRMAN. Does the gentleman yield to the gentleman from Georgia?

Mr. LIVINGSTON. May I ask the gentleman a question?

Mr. CHARLES B. LANDIS. Yes, sir.

Mr. LIVINGSTON. Is it not true, my dear sir, that every Presidential election has been decided in the last twelve years by what is called the "independent" or "floating" vote in this country? Is that not true? Is it not true of Indiana? Is it not true of Illinois? Is it not true of New York State and many other States that the independent or "floating" vote controls the State?

Mr. CHARLES B. LANDIS. The independent vote controls the election in all the States north of Mason and Dixon's line, but I want to say to the distinguished gentleman it does not control any votes on the other side of Mason and Dixon's line.

Mr. LIVINGSTON. Do you make any distinction between that independent vote and the regular Republican vote?

Mr. CHARLES B. LANDIS. Why, there is some distinction; yes.

Mr. LIVINGSTON. You are asking the question why Mr. Harrison was defeated and why Mr. Cleveland got an overwhelming majority and why Mr. McKinley got an overwhelming majority.

Mr. CHARLES B. LANDIS. Yes.

Mr. LIVINGSTON. Was it not from this floating or independent vote?

Mr. CHARLES B. LANDIS. It was from the independent vote which the Democratic leaders misled.

Mr. LIVINGSTON. And it is the independent vote you sometimes lose that would beat you.

Mr. CHARLES B. LANDIS. That is true, but I want to say to the gentleman that the independent vote does not come from his section of the country.

Mr. LIVINGSTON. I understand; and it will never come from there, as we have no such vote there.

Mr. CHARLES B. LANDIS. We will never get it from there until we have a minority representation on election boards.

Mr. BOWIE. You have got them.

Mr. CHARLES B. LANDIS. You appoint them.

Mr. BOWIE. No, sir.

Mr. CHARLES B. LANDIS. I would rather have a Democrat on an election board than a Republican appointed by a Democrat. [Applause on the Republican side.] Right in line with that—

Mr. WILLIAMS of Mississippi. Let me ask the gentleman, Have you election boards in Indiana?

Mr. CHARLES B. LANDIS. There is no election board in the State of Indiana upon which there is not a minority representation, and upon which the Democratic party does not name the Democratic member.

Mr. WILLIAMS of Mississippi. Who appoints them?

Mr. CHARLES B. LANDIS. They are selected by the chairmen of the two leading political parties.

Mr. WILLIAMS of Mississippi. Yes; but what officer appoints them?

Mr. CHARLES B. LANDIS. The clerk.

Mr. WILLIAMS of Mississippi. The clerk is either a Democrat or a Republican?

Mr. CHARLES B. LANDIS. Yes.

Mr. WILLIAMS of Mississippi. They are appointed the same

way down South, and any statement that is made that in Mississippi, at any rate, the minority representative is not always upon a board of that sort, is a very erroneous statement.

Mr. LIVINGSTON. Now, as to the State of Georgia—

Mr. CHARLES B. LANDIS. I want to say to the gentleman from Mississippi that that wasn't done in the South before the colored vote was disfranchised.

Mr. BOWIE. In Alabama, at the last election, the Republicans had an even division; the election board was their own selection. That is now a part of the law of the State of Alabama.

Mr. CHARLES B. LANDIS. That was after the amendment to the Constitution was passed. I was much impressed by an interview with a gentleman from Tennessee, published in one of the local papers a short time ago. He had been up in New York. He returned to Washington and was interviewed by a local reporter as to the political outlook generally. He said he was not prepared to speak for New England or any Northern State, but as far as Tennessee was concerned it did not matter who was nominated or upon what sort of a platform he stood, Tennessee would give the Democratic party a majority of 30,000. [Laughter on the Republican side.] He might as well have said 100,000.

Mr. WILLIAM W. KITCHIN. Will the gentleman yield for an interruption?

Mr. CHARLES B. LANDIS. For a question.

Mr. WILLIAM W. KITCHIN. As the gentleman from Indiana is evidently not acquainted with the Southern election boards, I wish to remind him that in North Carolina, which we think is a fairly Democratic State, the election boards are composed of members of both parties and that the Republican members of these boards are appointed under the law upon the recommendation of Republican organizations.

Mr. CHARLES B. LANDIS. That is since the adoption of the grandfather clause.

Mr. WILLIAM W. KITCHIN. No, sir; we have had a law similar to that for years and years, and for many years in our State a majority of the election officers were hostile to the Democratic party, and under such circumstances as these, when the majority of the election officers were against us, we have elected our candidate by overwhelming majorities. [Applause on the Democratic side.]

Mr. CHARLES B. LANDIS. I served as a member of an election committee, and I saw samples of the fair elections in South Carolina, and the gentleman from North Carolina can not change my impression. Those elections were conducted by Democrats clad in red shirts and armed with shotguns.

Mr. STEPHENS of Texas. I want to say to the gentleman that the boards are selected by the chairmen of the two different parties in Texas exactly as has been explained by the gentleman from North Carolina. The Republican party has a fair representation upon that board selected by their own chairman of that State, and I believe Texas is a Democratic State.

Mr. FINLEY rose.

Mr. SCUDDER. Mr. Chairman—

Mr. CHARLES B. LANDIS. Oh, I can not yield to all; my time is going very rapidly. There is not time for all the States.

Mr. CURRIER. Mr. Chairman, if the gentleman from Indiana will allow me, I want to say that in an election case just heard before the House committee it appeared that in one Southern State the Republican judges that were appointed were men that could not read or write.

Mr. WILLIAMS of Mississippi. In very many of the places there are no Republicans that can read or write. [Laughter on the Democratic side.] Would you have them cut them out entirely?

Mr. PAYNE. Why don't you let them in under the grandfather clause? [Laughter.]

Mr. CHARLES B. LANDIS. Mr. Chairman, I will say to the gentleman from Mississippi that if my memory serves me right, there were only about eleven hundred and some odd votes in his district altogether at the last election.

Mr. WILLIAMS of Mississippi. Does the gentleman mean in my district?

Mr. CHARLES B. LANDIS. Yes; in the gentleman's district.

Mr. WILLIAMS of Mississippi. Why, there wasn't any Republican vote. [Laughter.] There wasn't any opposition to me. There was no nomination by the other party.

Mr. CHARLES B. LANDIS. Why?

Mr. WILLIAMS of Mississippi. Because no one was idiot enough to imagine that he could be elected in that most intelligent district of the United States of America, where nobody can vote unless he can read and write the English language. [Great laughter.]

Mr. CHARLES B. LANDIS. It would seem, then, from the returns that there were only about 1,400 who could read and write the English language. [Laughter.]

Mr. WILLIAMS of Mississippi. There the gentleman is mis-

taken, as usual, for the old familiar Republican reason, that half knowledge is so much worse than no knowledge at all. I ran through a very exciting Democratic primary election just prior to that general election, and if the gentleman would look at the primary returns he would find the vote was a very large one, considering that the voters are restricted to men who can read and write, and that 62 per cent of the population are negroes, and of that negro population 58 per cent can not read and write; and the balance would rather bribe themselves with \$3 a piece not to vote than to vote, coupled with the condition of paying a \$3 tax.

Mr. CHARLES B. LANDIS. Who bribes them?

Mr. WILLIAMS of Mississippi. Why, they bribe themselves. [Laughter.] I will tell you how.

Mr. CHARLES B. LANDIS. I will say to the gentleman from Mississippi that I have heard of a man who robbed his own trunk, but I have never heard of a man who bribed himself. [Laughter.]

Mr. WILLIAMS of Mississippi. Well, this is a most remarkable statement, and yet a plain story will enable a gentleman of the intelligence of the gentleman from Indiana [Mr. CHARLES B. LANDIS] to comprehend it perfectly. The white people of the State of Mississippi, understanding race traits and tendencies, put upon the statute books a poll tax and said that before anybody could vote he must have paid that poll tax the February previous to the election.

Then we went a step further and provided no machinery to collect that tax except from taxable property. I can be made to pay it, but a poor nigger without taxable property or a white man without it can not be made to pay it. The sheriff can not go and arrest him; he can not take any steps to collect the tax, and the only penalty is that if a man does not pay it he can not vote, and Mr. Sambo prefers to bribe himself not to vote. [Applause on the Democratic side.]

Mr. CHARLES B. LANDIS. And the result in Mississippi is just exactly as it has always been—there was no difference before these new qualifications were established.

Mr. WILLIAMS of Mississippi. Oh, yes; there was.

Mr. CHARLES B. LANDIS. You selected a solid delegation then by a no larger vote than you cast now.

Mr. WILLIAMS of Mississippi. Oh, yes; we cast a very much larger vote, and had very exciting elections—sometimes far beyond in excitement any that the gentleman and his colleagues hold up in his country. Sometimes we went to the point of bloodshed.

Mr. CHARLES B. LANDIS. At the primaries?

Mr. WILLIAMS of Mississippi. No; at the general elections; and up to the time of the adoption of the constitution we had Republican nominees, and I will say further that I have run against two Populists in my time as Populist nominees for Congress, and in those cases the full vote was brought out.

Mr. PAYNE. I will state that Mr. Allen—John Allen; we all remember him—used to explain how they did in those days. He said that early in the morning they used to fire a gun so the niggers might know there was going to be an election—simply to call their attention to it. [Laughter.]

Mr. CHARLES B. LANDIS. Mr. Chairman, I would like very much to submit—

Mr. LACEY. Mr. Chairman, I would like my friend to permit me to offer him a suggestion by saying that we are at this time suffering from the absence of the gentleman from Texas, who has had to go home in order to pay his poll tax in order to vote at the next election.

Mr. WILLIAMS of Mississippi. That shows what a good citizen he is. He would not surrender the sacred function of citizenship.

Mr. MARTIN. Will the gentleman from Indiana yield?

Mr. CHARLES B. LANDIS. I will yield this one time, but no more.

Mr. MARTIN. I should like, in the interest of information, in the time of the gentleman from Indiana [Mr. CHARLES B. LANDIS] to ask the gentleman from Mississippi [Mr. WILLIAMS] how many qualified voters there are in his district?

Mr. WILLIAMS of Mississippi. I do not know how many there are in the district which I now represent. In the Fifth district, which I represented before I was thrown into this new one, there were some 20,000. In this one I have not had them counted as yet.

Mr. MARTIN. The Eighth is the district of the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS of Mississippi. That is the district I represent. The Fifth was the district I represented before I was elected this last time, and I have not the figures of the number of qualified voters in the present district.

Mr. MARTIN. I see the gentleman is now from the Eighth district.

Mr. WILLIAMS of Mississippi. Yes.

Mr. MARTIN. I would ask the gentleman what his best judgment is as to the number of qualified voters in his district?

Mr. WILLIAMS of Mississippi. In this district, which is mostly composed of black counties, I do not think that there are over 10,000 qualified electors.

Mr. MARTIN. I notice the number of votes cast in the election in the district represented by the gentleman from Mississippi [Mr. WILLIAMS] at the last election, as given in his biographical sketch, is 1,433.

Mr. WILLIAMS of Mississippi. And so careless were we about it that I will say that the gentleman from Mississippi did not even go to the polls and vote for himself. There was no opposition.

Mr. CHARLES B. LANDIS. I understand arrangements are now being made to so amend your constitution as to elect you for four years. [Laughter.]

Mr. WILLIAMS of Mississippi. Oh, no.

Mr. PAYNE. Was the gentleman from Mississippi [Mr. WILLIAMS] saving his \$3—is that the reason he did not go to vote? [Prolonged laughter.]

Mr. WILLIAMS of Mississippi. "The gentleman" could not save his \$3, because he had taxable property in the State, and the tax could have been made out of that property. It is only the poor man, without taxable property, who can save his \$3. And the poll tax goes to the support of the public schools—over half of it to the education of the negroes.

Mr. PAYNE. And only the poor man who can not raise the \$3 can be successfully deprived of his vote.

Mr. CHARLES B. LANDIS. Mr. Chairman, a short time ago I had occasion to look over the election returns from Mississippi, and I discovered that the eight Members from that State received about 18,000 votes. That is not half the number of Republican voters there were in my district at the last election. In other words, in Mississippi you elect your entire delegation—

Mr. WILLIAMS of Mississippi. My friend from Indiana wants to be fair, of course.

Mr. CHARLES B. LANDIS. Always.

Mr. WILLIAMS of Mississippi. I know that, because I know him well enough to know that, as "Uncle Joe Cannon" once said, "He is as fair as political exigencies admit of." [Laughter.]

Now, then, suppose in your district, and in all the other districts of the State of Indiana, there were no Democratic nominees running against any of the Republican candidates for Congress; and suppose that had been going on for three terms—

Mr. CHARLES B. LANDIS. That is a supposition contrary to reality.

Mr. WILLIAMS of Mississippi. Suppose it, however; we can suppose anything.

Mr. CHARLES B. LANDIS. In Mississippi! [Laughter.]

Mr. WILLIAMS of Mississippi. Especially men with so brilliant an imagination in regard to facts as that possessed by my friend from Indiana. [Laughter.]

Now, suppose that to have been the case; how many voters do you think would have turned out in your Congressional district to vote for you as a perfunctory act when they had already nominated you?

Mr. CHARLES B. LANDIS. That is absolutely an unsupportable case in my district.

Mr. WILLIAMS of Mississippi. Suppose, furthermore, that the law provided, as I doubt not it does in your State, that the names of the persons to be voted for must be upon the ticket two weeks, or some other specified time, before the election; and suppose that the period of two weeks before the election had arrived and partly expired and no other nominations had been made, that the name of nobody else had been put upon the ticket, even by petition, and nobody else could possibly be voted for under the law. How many voters does the gentleman suppose would have turned out and voted for him when there was no possibility whatever of his being defeated?

Mr. CHARLES B. LANDIS. That is not a supposable case.

Mr. ADAMS of Pennsylvania. May I be allowed to answer the suggestion of the gentleman from Mississippi?

Mr. CHARLES B. LANDIS. I must insist that my time shall not be all occupied by other gentlemen.

Mr. ADAMS of Pennsylvania. I will say to the gentleman from Mississippi that in my district there was no nomination made by the Democrats, yet 45,000 votes were cast.

Mr. WILLIAMS of Mississippi. Ah, but in Philadelphia they vote by machinery. [Laughter and applause on the Democratic side.]

Mr. ADAMS of Pennsylvania. No; we do not—

Mr. WILLIAMS of Mississippi. You have a labor-saving device.

Mr. ADAMS of Pennsylvania. We do not have to disfranchise people to whom the Constitution of the United States has granted the ballot in order to elect our candidates.

Mr. WILLIAMS of Mississippi. Nor do we; nor have we ever done so, and anybody who says that we have undertakes to be a better lawyer than the judges of the Supreme Court of the United States.

Mr. ADAMS of Pennsylvania. I know what the Constitution says—

The CHAIRMAN. Has the gentleman from Indiana [Mr. CHARLES B. LANDIS] yielded the floor to anyone; and if so, will he kindly indicate to whom?

Mr. CHARLES B. LANDIS. I must decline to yield further to anybody.

The CHAIRMAN. The gentleman from Indiana declines to yield further.

Mr. ROBINSON of Indiana. I want to remind the gentleman from Indiana that his time is unlimited.

The CHAIRMAN. The gentleman from Indiana declines to yield.

Mr. ROBINSON of Indiana. I want to bring the gentleman nearer home—to some matters concerning the fairness of elections which I am sure he desires to hear.

Mr. CHARLES B. LANDIS. I must decline to yield for the present.

Mr. ROBINSON of Indiana. In the matter of redistricting—

The CHAIRMAN. The gentleman from Indiana declines to yield.

Mr. CHARLES B. LANDIS. In response to the gentleman from Mississippi, who said that in Philadelphia they vote by machinery, I would suggest that it does not seem to be as effective in Philadelphia as voting by the shotgun down in Mississippi. [Derisive cries on the Democratic side.]

And in this connection I want to call attention to the fact that the gentleman from Pennsylvania [Mr. DALZELL] had no contestant in the recent election, yet there were cast for him 19,000 votes. General BINGHAM had no contestant against him, and there were cast for him 32,000 votes. [Applause on the Republican side.]

Mr. WILLIAMS of Mississippi. Were there not other officers voted for at the same election?

The CHAIRMAN. The gentleman from Indiana declines to yield. The gentleman from Mississippi is not in order.

Mr. WILLIAMS of Mississippi. Just one more question.

The CHAIRMAN. The gentleman has declined to yield.

Mr. WILLIAMS of Mississippi. The gentleman has not declined to yield. I am asking him now.

Mr. CHARLES B. LANDIS. I must decline to yield, Mr. Chairman.

Mr. LIVINGSTON. You did have a gubernatorial election. Why don't you admit it?

Mr. WILLIAMS of Mississippi. There were other officers voted for at the same time, Mr. Chairman.

Mr. CHARLES B. LANDIS. I regret, Mr. Chairman, that this discussion has been drawn into this particular line. [Laughter.] I had intended simply addressing myself to the reason why the people of this country abandoned Republicanism in 1892, and went over to Democracy. That was my intention at the time I was interrupted. The reason why the people of this country did so in 1892 was because they were misled, because they were deceived.

You remember how political orators went through the country in that campaign and succeeded in impressing upon the people as a fact the fiction that they were being robbed; that they were being oppressed by the mill bosses and the factory lords, and that the heel of the plutocrat was upon their necks; that the rich were growing richer and the poor were growing poorer. I remember hearing a prominent Member of this House who spoke in Indiana in that campaign going over a rigmarole that was very popular in 1892.

He would pick out some poorly dressed man in the audience and say to him: "John, do you know that you are being robbed? Do you know that you are being victimized by the mill bosses and factory lords? Do you know that you are taxed from the day you are born until the hour you die?"

"Why," he would say, "John, you arise in the morning by turning down a coverlid that is taxed 60 per cent. You put your feet out on a carpet that is taxed 90 per cent. You put on a hat that is taxed 100 per cent. You put on a pair of pantaloons that is taxed 300 per cent; a pair of suspenders that is taxed 40 per cent. You lift a latch on the door that is taxed 80 per cent; wash your face in a basin that is taxed 90 per cent, and then go in and sit down at the breakfast table and eat your poor, God-forsaken breakfast with a knife and fork taxed 666 per cent."

He would repeat that until that man would think, after he had heard it all, that it would cost him from \$150 to \$200 to get ready for breakfast every morning. [Laughter.]

Hired peddlers were sent out by the national Democratic committee, who went through Indiana offering tin cups for sale at a dollar apiece, and every time the housewife would shake her head and marvel at the price, the hired peddler would shake his head and say, "Well, it is high, but it is all on account of the infamous McKinley bill." And in some parts of Indiana they sent men

through the country peddling gourd seed, offering it for nothing, and saying to the farmer, "They have robbed you of your tin cup and your tin pail, but thank God they can not take from you the gourds of your fathers." [Laughter.]

That is the way you did it in 1892, and you won. Grover Cleveland was elected. You secured control of both branches of this Government, and I contend that that was the greatest mistake the Democratic party ever made. They found themselves facing the people of this country in the midst of a domestic prosperity never before equalled. They were pledged to improve it. Capital was employed; they promised to employ it better. Wages were high; they promised to make them higher. Labor! There was not an idle man in the United States of America unless he was idle from choice; and you are acquainted with the result. Scarce three months passed until the idle men commenced roaming over the country.

Bankruptcy became an epidemic. Idleness got to be a profession, and hard-times festivals became popular social functions. You did that, gentlemen. You brought about that condition of affairs—you prophets, you promisers, you arraigners. You packed the side tracks of the railroads of this country with empty cars. You sent the price of corn so low it was burned as fuel. The farmer fed 30-cent wheat to 2-cent hogs, and horses were not worth wintering, and sheep shivered and died on the range because they were not worth sheltering, and as many as 100 idle men were found on single trains roaming this country in search of work.

At the end of four years everybody in the United States admitted that everything was wrong and that it was simply a question as to the best policy to bring us back where we were when Benjamin Harrison was President of the United States. Our friends on the other side said that the panacea was free silver. They said we did not have enough money with which to carry on the business of the country. We must have had very little money, because we did not have any business. They said that the only way to get more money was to have free silver; that the only way to get good times was through the ratio of 16 to 1.

The Republican party said, "The money is all right. We have enough money. The trouble is with this policy of tariff for revenue only, or free trade. If we can elect a President and a Congress that will kill the free-trade Wilson bill and reenthroned the policy of protection, prosperity will return."

The two parties went before the country, one headed by Mr. Bryan and the other by Mr. McKinley. In November the verdict was rendered, and by an overwhelming majority the people of this country declared in favor of sound money and a protective tariff, and elected William McKinley President of the United States.

I say is there anybody in the sound of my voice who voted for William McKinley that has ever regretted it?

If such there be, go mark him well;
For him no minstrel rapture will ever swell.

And you knew that times would get better. You gentlemen on the other side of the aisle expected it. I remember walking down the street of the little town in which I live the second morning after the election, and a well-known Democrat said to me, "You have elected your President." I said, "Yes." "You have secured control of both branches of Congress." "Yes." "Well," said he, "where is your prosperity?" [Laughter.]

They expected us to set the national hen in the evening and serve the Democrats with fried chicken out of the same nest the very next morning. [Laughter.] A special session of Congress was called. You remember just as soon as we met they asked us, "Where is your prosperity?" Then the Dingley bill passed the House, and they kept asking us, "Where is your prosperity?" I remember that after the bill went over to the Senate and came back here to receive the approbation of this body they would come up to us and ask, "Have you seen the General?" We would ask, "General who?" And then they would say, "General Prosperity," and then they would laugh; they would laugh until their sides would ache; but it was no trouble for their sides to ache, because their stomachs had been empty for four years. [Laughter.]

Then the bill passed through conference and became a law, and after that bill became law did any Republican ever hear any Democrat in this land who would ask, "Have you seen the General?" The way had been prepared for the General to come, and straightway he came. Avenues for prosperity had opened, and prosperity came. And it did not come solely from New England and Pennsylvania, which have frequently been said to be the sole beneficiaries of a protective tariff.

It came from the South, whose States, from the Carolinas to the broad fields of Texas, have been pouring into the world's commerce an annual contribution worthy of a mighty empire. It came from the far West; from Kansas and Nebraska and their sister States with their black soil; from those States that wear mountains on

their bosoms—mountains grim in their ruggedness and haughty in their wealth of hidden ore. It came from California, from Oregon, from Washington. It came from the broad sweep of the Mississippi Valley, whose farms and whose cities, whose soil and whose wealth, and whose people and whose progress are at once the marvel and the hope of American civilization, embodying as they do the spirit, the ambition, and the conservatism that are the surest guaranty of the growth and stability of the Republic.

From everywhere it came, showering its blessings on the children of men. And this prosperity will stay, if Democrats will simply keep their hands off. It would go to pieces to-morrow if there should be absolute evidence that Democratic ascendancy were assured within the next twelve months. Business would be blighted, confidence would become a coward, and we would find ourselves where our fathers found themselves under the Administrations of Martin Van Buren and James Buchanan, and where we found ourselves under the last Administration of Grover Cleveland. [Applause.]

But the American people will not repeat the mistake of 1892. The present generation will not soon forget those four years.

The Republican party came into power in 1897. A special session of Congress was called, and the Republican party proceeded to keep its promises and redeem its pledges. The first thing we did was to take a club and kill that free-trade Gorman-Wilson tariff bill. Then the next thing we did was to pass a bankruptcy law—a general bankruptcy law. Such a law is as essential after a Democratic Administration as a hospital corps is with an army that fights battles. [Laughter.]

Then after that we passed a law establishing the gold standard, and while we were doing all these things we were giving attention to Spain. That war was fought, Cuba was freed, Porto Rico was taken, Hawaii annexed, and the Philippine Islands taken care of, and to-day the American people stand and challenge the world on the record that the Republican party has made. We will go into the next campaign and we will fight that battle on this record; and, Mr. Chairman, I am not afraid of the result.

To-day, under the Republican party, the country is still moving forward. Busy men have employment; happiness is in the home. We imported from abroad last year more than a billion dollars' worth—several millions of dollars more than ever before. We sent abroad last year in the neighborhood of \$1,400,000,000 worth—millions of dollars more than ever before.

We sold abroad in the neighborhood of \$350,000,000 more than we bought abroad. Our domestic trade amounted to \$30,000,000,000. We can scarcely find figures in which to express it, but our friends on the other side of the Chamber say they are going to make the next campaign by contrasting the conditions under Mr. Roosevelt's Administration with conditions under Mr. McKinley's Administration.

No; no! We will fight this next campaign on the conditions existing under the McKinley and Roosevelt Administrations as contrasted with the conditions existing under the last Cleveland Administration. [Applause on the Republican side.] You can not get away from it.

I was very much impressed with the speech made by my friend from Illinois yesterday, in which he called attention to the prosperity that marked the South—a great and natural prosperity. It was doubtless astonishing to a number of the Members on the other side of this Chamber—

Mr. LIVINGSTON. Not at all.

Mr. CHARLES B. LANDIS. Then I can not understand why you continue to vote the Democratic ticket. I have made up my mind that my friend from Georgia can not be surprised by anything—

Mr. LIVINGSTON. It is because those States under Democratic administration are prosperous, and we continue to vote that ticket for that reason.

Mr. CHARLES B. LANDIS. That is ridiculous. That country on the other side of Mason and Dixon's line—those States—increased in population, since 1880, 50 per cent and in wealth 200 per cent.

Mr. LIVINGSTON. That is native population, not foreign. The increase is native population.

Mr. CHARLES B. LANDIS. Think of it! In 1880 you produced 6,000,000 tons of bituminous coal. Last year you produced 60,000,000 tons.

Mr. LIVINGSTON. The Secretary of Agriculture stated a few days ago, in a public speech, that it was not the Republican party or the Democratic party, but the farmers who had saved the country. What do you say to that?

Mr. CHARLES B. LANDIS. Well, I will not take issue with the Secretary of Agriculture on that question. One thing I will contend for, and that is that the Democratic party has never saved it, and if the farmers have saved it they have saved it under Republican policies.

Mr. LIVINGSTON. Not in the South.

Mr. CHARLES B. LANDIS. The prosperity brought about by our policies. Its blessings are visited upon you as well as upon us. In other words, we have saved you from yourselves. You are prosperous in the South in spite of your political bigotry. [Applause on the Republican side.] Another thing, Mr. Chairman, with reference to the South. There has been poured into the South during the last five years for cotton and its products alone \$2,652,000,000.

Mr. LIVINGSTON. Our cotton crop amounted last year to \$700,000,000.

Mr. CHARLES B. LANDIS. Yes, your cotton and cotton products amounted to \$900,000,000.

Eight hundred and seventy-three million dollars more for southern cotton than during the previous five years, that \$873,000,000 representing more than the capital of all the national banks in the United States. You consumed during this last year more cotton by a million pounds than all the mills of New England. Six million additional spindles came to you during the last twelve years; only 1,800,000 went to Great Britain, and New England increased only 2,000,000. You had 40 cotton-seed oil mills in 1880. To-day you have 700.

In 1880 you had in the South 20,000 miles of railway. To-day you have 60,000 miles. In 1880 your lumber products amounted to \$39,000,000. To-day it is \$188,000,000. The total output of pig iron in the South to-day is four times the total output of the United States in 1860. Since 1890 the number of your national banks has increased from 521 to 928, and the deposits have more than doubled—have increased from \$126,000,000 to \$318,000,000.

Mr. BOWIE. Why not come down, then, and visit us?

Mr. CHARLES B. LANDIS. Now, Mr. Chairman, these statistics refute the Democratic contention for sixty years past; these statistics are enough to make John C. Calhoun, Bob Toombs, and Jefferson Davis turn over in their caskets. In New Orleans every time there is a meeting of the board of trade it is almost like a Fourth of July celebration—felicitations are passed around. New Orleans has regained her lost prestige under the policies of the Republican party, and Galveston has risen until it is the third export and import city in the United States.

Fifty-three lines of steamships head out from Galveston. I saw the other day there had been 832 industrial establishments located along the Southern Railroad during the last year; 30 cotton mills are in course of construction along the line of that road.

From the Southern Farm Magazine I get the information that during the last ten years 75,000 northern farmers have settled between New Orleans and Corpus Christi.

This southern industrial farming has brought under cultivation 3,000,000 acres of southern farm land. Eight hundred thousand acres of this land are devoted to the cultivation of rice, for which a large area of the South has recently been discovered to be particularly adapted. I received a letter the other day stating that 1,000 home seekers had visited the rice-growing district of Louisiana in a single week.

Mr. LIVINGSTON. I want to say to the gentleman that our stocks have all doubled up by the natural increase.

Mr. CHARLES B. LANDIS. That natural increase did not characterize that section of the country under the last Cleveland Administration. [Applause.] Your cotton was a drug on the market. North and south, east and west, prosperity has been general, and nowhere has it been as great as in the Southern States. Your railroad bonds during the last year have paid a greater dividend than bonds of any railroads in the United States.

Mr. LIVINGSTON. Up to a few years ago the price of cotton was fixed in Liverpool and Wall street. For the last two years we have fixed it in the city of New Orleans, and have got double for our cotton what we ever did before. We intend to make the price hereafter in New Orleans and not in Liverpool or Wall street.

Mr. CHARLES B. LANDIS. Why didn't you do it under the Democratic Administration? [Laughter and applause on the Republican side.]

Mr. LIVINGSTON. We happened to have but little Democratic Administration; it did not last long. Out of forty-two years you charge us with eight years of Democratic Administration, with four years of Republican Administration in between the eight, and then you undertake to compare that with forty years of Republican hold upon this country, and ask us why we haven't done what you did. My dear man, you know that is an unfair comparison. [Laughter.]

Mr. CHARLES B. LANDIS. Now, Mr. Chairman, my friend from Mississippi, in a speech delivered on the floor of the House a short time ago, used these words:

You will remember that Harrison himself said in a newspaper interview which I read, and have never seen denied, that the reason he was thrown out of power and Cleveland was elected was because of the unprecedented hard

times and suffering for which the people of the South and West, without due reason, held his Administration responsible.

Mr. Chairman, I would say that General Harrison, while he was President of the United States, did not make it a business to go on record in newspaper interviews. If he had anything to say he said it in his state papers. And it happens that he spoke to this Congress a short time after the election of 1892, and this is what he said, as contrasted with the words put in his mouth by my friend from Mississippi. I quote from his annual message of December 6, 1892:

In submitting my annual message to Congress I have great satisfaction in being able to say that the general conditions affecting the commercial and industrial interests of the United States are in the highest degree favorable. A comparison of the existing conditions with those of the most-favored period in the history of the country will, I believe, show that so high a degree of prosperity and so general a diffusion of the comforts of life were never before enjoyed by our people.

The total wealth of the country in 1890 was \$16,159,616,068. In 1890 it amounted to \$32,610,000,000 an increase of 237 per cent. * * * There has never been a time in our history when work was so abundant or when wages were as high, whether measured by the currency in which they are paid or by their power to supply the necessities and comforts of life. It is true that the market prices of cotton and wheat have been low. It is one of the unfavorable incidents of agriculture that the farmer can not produce upon orders.

He must sow and reap in ignorance of the aggregate production of the year, and is peculiarly subject to the depreciation which follows overproduction. But while the fact I have stated is true as to the crops mentioned, the general average of prices has been such as give to agriculture a fair participation in the general prosperity.

I believe that the protective system, which has now for something more than thirty years continuously prevailed in our legislation, has been a mighty instrument for the development of our national wealth and a most powerful agency in protecting the homes of our workmen from the invasion of want.

* * * It is not my purpose to renew here the argument in favor of a protective tariff.

The result of the recent election must be accepted as having introduced a new policy. We must assume that the present tariff, constructed upon the lines of protection, is to be repealed and that there is to be substituted for it a tariff law constructed solely with reference to revenue; that no duty is to be higher because the increase will keep open an American mill or keep up the wages of an American workman, but that in every case such a rate of duty is to be imposed as will bring to the Treasury of the United States the largest returns of revenue.

The contention has not been between schedules, but between principles, and it would be offensive to suggest that the prevailing party will not carry into legislation the principles advocated by it and the pledges given to the people. * * * I recommend that the whole subject of tariff revision be left to the incoming Congress. * * * Those who have advocated a protective tariff can well afford to have their disastrous forecasts of a change of policy disappointed.

If a system of customs duties can be framed that will set the idle wheels and looms of Europe in motion and crowd our warehouses with foreign-made goods and at the same time keep our own mills busy; that will give us an increased participation in the "markets of the world" of greater value than the home market we surrender; that will give increased work to foreign workmen upon products to be consumed by our people without diminishing the amount of work to be done here; that will enable the American manufacturer to pay his workmen from 50 to 100 per cent more in wages than is paid in the foreign mill, and yet to compete in our market and in foreign markets with the foreign producer; that will further reduce the cost of articles of wear and food without reducing the wages of those who produce them; that can be celebrated, after its effects have been realized, as its expectation has been in European as well as in American cities, the authors and promoters of it will be entitled to the highest praise.

We have had in our history several experiences of the contrasted effects of a revenue and of a protective tariff, but this generation has not felt them, and the experience of one generation is not highly instructive to the next. The friends of the protective system, with undiminished confidence in the principles they have advocated, will await the results of the new experiment.

Mr. WILLIAMS of Mississippi. What is the date of that message?

Mr. CHARLES B. LANDIS. December 6, 1892; that was his last message to Congress.

I want to place that in answer to the words placed in his mouth from a late newspaper interview by my friend from Mississippi. I want to call attention to another thing at this time. In an address delivered before this House a short time ago my friend from Mississippi elucidated from a Southern standpoint the protection proposition, in the course of which he said:

That brings me, Mr. Chairman, to my favorite banana theory. There is in the United States, I suppose, 100 acres of land where bananas can be grown in the open air, and yet I could, were I the legislating body of this country, or were I the Czar with absolute power and disposed to make the people pay the price for it, create a "great American banana industry." I could put a tax of \$1 apiece on bananas which are now selling in the streets three for a nickel, and inside of five years I could, with a good custom-house service, have created and exploited a vast banana industry.

It is true that a great many people who formerly ate bananas could not buy any bananas at all, and some people would have to buy fewer bananas; but it is also true that a great many people, who are plutocrats and aristocrats, would eat them because the common people—dagoes, Jersey men, and Mississippians—could not. [Laughter and applause.]

If I continued that system of taxation in existence for twenty years, at the end of that time there would have come to the front a new generation that "knew not Joseph" nor cheap bananas; and the moment sensible people came into power with the idea of revising the banana schedule these gentlemen who "knew not Joseph" and had gone into the American banana business and perhaps formed a banana trust would come to the committee room of the National Legislature, knocking upon the doors all the time, and giving utterance to cries of unutterable woe:

"Are you going to strike down the great American banana industry? Are you going to reduce the duty from a dollar apiece on bananas to 80 cents? We can't stand it. It will ruin us. Are you going to make the people engaged in banana raising go to the soup houses? Are you going to discriminate

in favor of pauper tropical sunshine against self-respecting American hot-house laborers?" [Laughter on the Democratic side.]

Let us stop a moment and follow the banana theory a little further, because I am fond of bananas. [Laughter.] What would have been the result of establishing that industry? Merely this, that you would have deflected a certain amount of American capital and a certain amount of American labor engaged in the general hot-house industry into a different channel of hot-house proceedings, and instead of having their hothouses for the purpose they have them now they would have converted them into banana nurseries, and the consumers would be paying a dollar a piece, or perhaps 90 cents a piece, for bananas, because the protected interest would have to undersell somewhat the foreign markets.

After fifteen or twenty years "home competition" would have reduced the price of bananas in the American market to, let us say, 40 cents apiece, and then Republican orators and politicians would say privately, in newspapers, and on the stump, and within these walls, with due solemnity and without a mutual smile: "Lo, and behold! See how a protective tariff has reduced the price of bananas from 90 cents apiece in 1950 to 40 cents apiece in 1965—nearly 50 per cent decrease in price to the consumer! Protection did it!"

Yes! A reduction from superlative extortion to comparative extortion! But in all this picture keep in mind one thing: While protectionism lasted bananas would never reach three for a nickel, because if they did, that public enemy—tropical sunshine—would be master.

* * * Now, my friends, I have given you the whole definition and an illustration of the manner of working of the protective tariff wherever it is needed.

I would like to know if that is the sort of protection illustration my friend from Mississippi uses in his biennial campaign. If that is a sample, I do not wonder that there were only eleven hundred and some odd votes cast in his Congressional district at the last election, because I say, if there ever was an unfair illustration, it is the favorite banana theory of the gentleman from Mississippi.

As a matter of fact, the gentleman can not point to a single article manufactured in this country on which there is a protective tariff that is not cheaper to-day than it was the day the protective tariff was placed on the article, and he establishes the reverse by his illustration.

I have here an illustration that I desire to submit in contrast with the gentleman's "favorite banana theory," illustrating, as it does so well, the practical workings of the protective tariff.

In 1883 there were no wire nails produced in this country. They were then selling at \$6 a keg. We manufactured that year 50,000 kegs, when a tariff of \$4 a keg was placed upon wire nails. In 1884 we manufactured 75,000 kegs, and the price dropped to \$5 a keg. In 1885 we manufactured 200,000 kegs, and the price dropped to \$4 a keg, which was exactly the tariff duty. In 1886 we manufactured 500,000 kegs, and the price dropped to \$3.40 a keg. In 1887 we manufactured 700,000 kegs, and the price dropped to \$3.30 a keg. In 1888 we manufactured 2,000,000 kegs, and the price dropped to \$2.60 a keg. In 1889 we made over 2,500,000 kegs, and the price dropped to \$2.10 a keg. And all this time the duty was \$4 per keg. The average price in 1902, the latest available report, was \$2.15.

That is the way the Republican policy of protection works. It does not work the banana way. [Applause on the Republican side.] And it has worked this way with reference to steel rails, and with reference to tin, and with reference to every other manufactured article produced in this country upon which there is a protective tariff. [Applause.]

Those within the sound of my voice will remember how, in 1890, when it was proposed to put a tariff on tin plate, some one in this House arose and said that he would take a contract to eat all the tin plate manufactured in this country during the next ten years.

Well, the Democratic stomach is equal to almost anything, but it was not equal to that proposition, because we are manufacturing almost a billion pounds of tin plate in this country every year, and the price of tin plate within three years after the tariff was placed upon it was lower than tin plate had ever been before in the United States. That is the way it works with all these articles. And that is not in harmony with this banana illustration.

Mr. WILLIAMS of Mississippi. Would the gentleman from Indiana mind continuing those figures in regard to wire nails down to the present?

Mr. CHARLES B. LANDIS. Yes; I will give the gentleman those figures. They will be in my remarks.

Mr. WILLIAMS of Mississippi. Would the gentleman mind reading them now?

Mr. CHARLES B. LANDIS. Well, I do not care to repeat my speech at this time. Time is short, and I do not feel that I should go over it.

Mr. WILLIAMS of Mississippi. I will give the gentleman unlimited time. I will say.

Mr. CHARLES B. LANDIS. I will give them to the gentleman at the conclusion of my remarks.

Mr. BENNY. Mr. Chairman, will the gentleman yield?

Mr. CHARLES B. LANDIS. No; I would like to very much, but I have not the time now.

The CHAIRMAN. The gentleman declines to yield.

Mr. CHARLES B. LANDIS. And the triumphs that followed in the wake of the restoration of the tariff in the increase of our wealth here at home are paralleled by the triumphs that have followed in every other avenue in which the Republican party has exerted itself since 1897.

The Spanish war came on, and I contend now, Mr. Chairman, that the brightest page that has been written by the Republican party in the last seven years has been written with reference to those questions that followed our war with Spain. That war lasted only ninety days, but the problems that came with it are with us to-day, and they will remain with us until our children are in their graves.

You remember, how after that war came to an end, our friends on the other side of the Chamber insisted that Cuba should immediately be given her freedom and independence. The man in the White House said no, they are not ready. You said, "You have lied to Cuba; you do not intend to give Cuba her independence." We said, "She is not ready for it; we want time to prepare her for her independence."

We brought a carload of school-teachers from Cuba and educated them. We sent scores of Americans down there to teach them the principles of self-government. We went down there and cleaned her cities and towns and put in sewerage systems, and on the 20th of May a year ago Columbia presented Cuba with a pure white parchment of human freedom, and she has been able to take care of that freedom and is happy and independent to-day. Had we done as you wanted us to do, yellow fever would be thriving in Cuba to-day. Revolution would follow revolution, as in Central America, South America, Santo Domingo, and other Spanish-American republics until we would have been involved with other nations of the world.

Not a twelvemonth in the forty years last past when the people of the Southern States have not been anxious almost to the point of hysteria over the threat of the spread of yellow fever, and yet during the last three years there has not been a single case of yellow fever in all Cuba. Why? We remained there long enough to destroy the germs.

Take Porto Rico. Well-informed gentlemen from the island of Porto Rico state that prior to our occupation of that island smallpox had infested parts of it for three hundred years. One of the first things we did when we went there was to take 900,000 people and vaccinate every one of them, and for the last four years there has not been a single case of smallpox in all Porto Rico.

Over in the Philippine Islands when our soldiers went over there it was prophesied that it would take an army of 100,000 men twenty years to establish conditions in those islands so that there would be peace and order and good government.

Those islands have been pacified; law and order have been established, and the army has been reduced to 18,000 men. We have spent vast sums on their docks; we have spent millions on their roads; 15,000 people are working to-day on one road leading up into the mountains from Manila. We have established libraries; we sent a ship loaded with 1,000 school teachers over there to light the torch. Last month 100 Filipino boys came to this country to be educated. They will go back to educate their fellows.

We have started normal schools over there. We have organized trade schools, and we have reorganized their courts in accordance with the dictates of Anglo-Saxon justice. We have given them religious liberty. We have given the farmers of the Philippines primers, translated into their own language, so that they may intelligently cultivate the soil. They have homes now in place of huts over in the Philippine Islands. Those islands are blossoming as a rose. And every dollar expended comes from the revenues of those islands.

Have we done right? If we have not, then civilization is a fraud, enlightenment is a lie, and the Christian church is a whitened sepulcher. Cuba, Porto Rico, and the Philippine Islands in their condition to-day speak volumes for the constructive policy and ability of the Republican party. We have given the nations of the earth new ideas relative to the control of colonial governments.

Where did the Administration of Theodore Roosevelt begin and that of William McKinley end? No one could tell. One merged into the other naturally; the same policy has been carried out under Theodore Roosevelt that was followed under William McKinley. And that is the reason I am for Theodore Roosevelt as our next nominee for President of the United States.

And, Mr. Chairman, I want to say that I am not one of those who lay claim to being the original Roosevelt man. Years ago I antagonized Mr. Roosevelt and the theories he then espoused. I accused him in my own newspaper. It came to be a habit with me to say hard things against him. I questioned his honesty. I said in my own newspaper that he was a sham reformer and a pretender. But, Mr. Chairman, I have changed my mind with reference to Theodore Roosevelt.

Mr. FITZGERALD. You have got on the band wagon. [Laughter on the Democratic side.]

Mr. CHARLES B. LANDIS. No, sir; but if I have, I am riding on a wagon that the gentleman's degree of good judgment would not enable him to select a seat in. [Applause on the Republican side.] There is not any such thing as a band wagon in the Democratic party.

Mr. FITZGERALD. There is no pie wagon in our party either. [Applause on the Democratic side.]

Mr. CHARLES B. LANDIS. I take that with a good deal of question, noting the avidity with which the gentleman welcomes the candidacy of a distinguished rich man from New York City.

Mr. FITZGERALD. I have a candidate for President, and I hope the party will nominate him.

Mr. CHARLES B. LANDIS. Grover Cleveland?

Mr. FITZGERALD. No, sir; Judge Parker, of New York.

Mr. CHARLES B. LANDIS. Will the gentleman kindly give me his post-office address? [Laughter and applause on the Republican side.] Mr. Chairman, I would like to ask the gentleman what the first name of his candidate is?

Mr. FITZGERALD. Is the gentleman a lawyer?

Mr. CHARLES B. LANDIS. I trust not. [Laughter.]

Mr. FITZGERALD. If he were, he would know that Judge Parker is the chief justice of the greatest court, next to the Supreme Court of the United States, in the world. I refer to the court of appeals of the State of New York.

Mr. CHARLES B. LANDIS. He is secure in his place, and he had better remain where he is.

No, Mr. Chairman, neither patronage nor selfish policy led me to change my mind with reference to Theodore Roosevelt. He won me, as he won millions of other of his countrymen, by his zeal, by his forcefulness, by his patriotism.

I began to appreciate how I had misjudged him when I saw him, in the face of threatening war, infuse into one of the great departments of this Government, stagnant with the monotonous routine and dry rot of a third of a century, the red blood of activity and timely preparation. I realized what an erroneous estimate I had placed upon him when I saw the announcement that he had decided to resign a place of honor and responsibility and power, which insured conspicuous performance in the very theater of war, to raise a regiment to lead to the front.

It seemed to me this was the supremest test, for it involved goodbye, if not farewell, to little children and their mother. Later I knew how fearfully I had wronged him when, with my colleagues on the floor of this House, I read bulletins which told how he, at the head of his regiment, under a blistering sky, the target for a hundred sharpshooters, had given a modern exhibition of that courage, that daring, that heroic valor which for more than one hundred years had compelled all nations to subscribe to the verdict that the American volunteer soldier is the greatest soldier in the world.

We are told that he mixed up in the Northern Securities affair. Yes; he did. With hundreds of thousands of his countrymen he realized that conservatism had lost its head and that capital had gone mad. He invoked the law passed by this Congress and he called a stop on combination and speculation that was running wild in the Republic. That law was passed by this Congress at the earnest solicitation of the American people.

One of the richest men in New York told me that the country would never know what a service Theodore Roosevelt had rendered when he started the machinery of that litigation. He stated that had matters been permitted to go on unchecked we would have had a panic that would have been without parallel in the history of American financial devastation. The men who are criticising him most severely now are those whom he saved from the consequences of their own rapacious folly.

We are told that he injected himself into the anthracite coal strike. He did. And who is there who will say that he erred?

Mr. BAKER. Will the gentleman yield for a question?

Mr. CHARLES B. LANDIS. No, sir.

Mr. BAKER. Has he taken any steps to prosecute—

Mr. CHARLES B. LANDIS. Mr. Chairman, I decline to yield further. As I was saying when interrupted, in that anthracite coal strike the President saw passion and greed facing each other, hostile and uncompromising, and he said to them: "Come, let us reason together." He brought about a settlement of that strike, and he did it without sacrificing, in any manner, the dignity of his office.

We must not forget the situation as it existed then. Millions of people were without fuel. Disease was claiming its victims and the chill of death was in many a cottage. Right here in the city of Washington people were burning their furniture to keep warm. This Capitol building was running on twenty-four hours of coal rations, and we knew not at what hour we would have to suspend business. Men who were known as conservative citizens

all over the Union were heading delegations which would stop trains loaded with coal and confiscate the cargo.

Do you not think it was time for some one to speak? A coward in the White House would have remained silent. But there was a brave man in the White House, and he acted, and that strike was settled, and the nation was saved from a series of riots that might have ripened into a revolution. His conduct in the Northern Securities case and in the anthracite coal situation elevated him in the confidence and esteem of the American people, and his course in the Panama achievement has placed him so securely in the affections of his countrymen as to protect him absolutely from the plotting of Democracy and assure his vindication next November.

Theodore Roosevelt will occupy a unique place in our history. Admittedly he has won the greatest victory that it is possible to win in this Republic, a victory over ease, a victory over leisure. It is not difficult for a poor boy to climb and conquer in this Republic—that is the rule; that is the natural thing. Ask those captains of industry, who from places of power and responsibility issue their orders, whence came the original inspiration that ripened into their success, and they will point to the days when want and adversity forced the industry that won the victory.

That one who is born in the lap of luxury has the real struggle to make in this country to win for himself a name. It is so much easier to fight poverty than riches, for riches wears the shield of leisure, and leisure is such a gentle foe. Its bonds of imprisonment are silken bonds. It caresses and lulls and soothes into a contentment and complacency that is at once sweet and fatal.

That youth who can despise ease, which has come as a gratuity; who can place the proper stamp on luxury, which is the gift of others; who can mock at every invitation to idleness, which is the chief patrimony of the rich, and who can go out into the world with a clear head, an honest heart, and a passion for toil and achievement and win the laurels of success—sir, I lift my hat to such a man and am willing that his name shall be inscribed on the portals of Columbia's proudest temple.

I claim that by every standard fixed by fair and honest men Theodore Roosevelt has made a great President. A tragedy placed him in the White House. He went there while bells were tolling and at a time when grief had washed politics away. Sorrow consecrated his oath, and, turning from that sepulcher in northern Ohio, a nation in tears gave him its confidence. Responsibility and power did not dwarf him; they made him broad and great. He has faced unflinchingly every critical situation. He has solved every difficult problem.

The people believe in him; the people trust him. The people associate his life and work with the life and work of that good man whom he succeeded, and when the Republican party meets in national convention next June it will make his Administration its platform. It will inscribe his name upon its banner, and then the ranks will close up and the Republican party will march to another glorious victory. [Prolonged applause on the Republican side.]

Mr. LIVINGSTON. Mr. Chairman, I believe that under the arrangement made in the House I have the same length of time that the gentleman from Indiana has occupied.

The CHAIRMAN. The gentleman from Georgia has one hour and seventeen minutes.

Mr. LIVINGSTON. I want to ask the other side of the House to submit to an adjournment now, as that one hour and seventeen minutes will keep us here entirely too long this evening.

Mr. PAYNE. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. TAWNEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 10954, the urgent deficiency bill, and had come to no resolution thereon.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 588. An act granting an increase of pension to Wilber F. Little—to the Committee on Invalid Pensions.

S. 2237. An act granting an increase of pension to Louise Chandler—to the Committee on Invalid Pensions.

S. 386. An act granting an increase of pension to Homer D. Wells—to the Committee on Invalid Pensions.

S. 2596. An act granting a pension to Frances S. Hopkins—to the Committee on Pensions.

S. 3645. An act granting an increase of pension to Francis Hall—to the Committee on Invalid Pensions.

S. 962. An act granting an increase of pension to Jennet Thoits—to the Committee on Invalid Pensions.

S. 2215. An act granting a pension to Sallie H. Hoffecker—to the Committee on Invalid Pensions.

S. 3038. An act granting an increase of pension to Joseph H. Kennedy—to the Committee on Invalid Pensions.

S. 2688. An act granting an increase of pension to George M. Linch—to the Committee on Invalid Pensions.

S. 2889. An act granting an increase of pension to John Beaird—to the Committee on Invalid Pensions.

S. 2940. An act granting an increase of pension to Margaret Liddle—to the Committee on Invalid Pensions.

S. 2560. An act for the relief of G. G. Martin—to the Committee on Military Affairs.

S. 2177. An act for the relief of Daniel H. Snyder—to the Committee on Military Affairs.

S. 2433. An act to amend the military record of John H. Skinner—to the Committee on Military Affairs.

S. 228. An act for the relief of William H. Hugo—to the Committee on Military Affairs.

S. 2357. An act to correct the military record of Samuel F. Hall—to the Committee on Military Affairs.

S. 1330. An act granting a pension to Jerry S. Fish—to the Committee on Invalid Pensions.

S. 3054. An act granting an increase of pension to Kate M. Strange—to the Committee on Pensions.

S. 2198. An act granting a pension to Thomas Irvin—to the Committee on Invalid Pensions.

S. 1937. An act granting a pension to Samuel Richards—to the Committee on Invalid Pensions.

S. 2103. An act granting an increase of pension to John L. McVey—to the Committee on Invalid Pensions.

S. 2924. An act granting an increase of pension to Samuel E. Cormany—to the Committee on Invalid Pensions.

S. 2955. An act granting an increase of pension to John Hogarth Lozier—to the Committee on Invalid Pensions.

S. 3291. An act granting an increase of pension to John Olson Bakken, alias John Olson—to the Committee on Invalid Pensions.

S. 3423. An act granting an increase of pension to Joseph H. Ottey—to the Committee on Invalid Pensions.

S. 2441. An act granting an increase of pension to Frank Lee—to the Committee on Invalid Pensions.

S. 2561. An act granting an increase of pension to Mathias S. Friend—to the Committee on Invalid Pensions.

S. 2289. An act granting a pension to Louisa R. Chitwood—to the Committee on Invalid Pensions.

S. 2239. An act granting an increase of pension to Theodore E. Chatfield—to the Committee on Invalid Pensions.

S. 2445. An act granting an increase of pension to George M. Wates—to the Committee on Invalid Pensions.

S. 1627. An act granting an increase of pension to Alonzo R. Kibbe—to the Committee on Invalid Pensions.

S. 1532. An act granting an increase of pension to Electa Allen—to the Committee on Invalid Pensions.

S. 846. An act granting an increase of pension to Catharine W. Collins—to the Committee on Invalid Pensions.

S. 2557. An act granting a pension to Johniken L. Mynatt—to the Committee on Invalid Pensions.

S. 2558. An act granting an increase of pension to Sallie H. Kincaid—to the Committee on Invalid Pensions.

S. 70. An act granting an increase of pension to John G. Brown—to the Committee on Invalid Pensions.

S. 89. An act granting an increase of pension to James M. Markham—to the Committee on Invalid Pensions.

S. 693. An act granting an increase of pension to Charles W. De Rocher—to the Committee on Invalid Pensions.

S. 2948. An act granting an increase of pension to George Hyde—to the Committee on Invalid Pensions.

S. 2087. An act granting an increase of pension to George Rilea—to the Committee on Invalid Pensions.

S. 312. An act granting an increase of pension to John F. Oviatt—to the Committee on Invalid Pensions.

S. 317. An act granting an increase of pension to Mortimer Hallett—to the Committee on Invalid Pensions.

S. 2841. An act granting a pension to Jane Patterson—to the Committee on Invalid Pensions.

S. 148. An act granting an increase of pension to Benjamin H. Smalley—to the Committee on Invalid Pensions.

S. 154. An act granting an increase of pension to Hugh T. Crockett—to the Committee on Invalid Pensions.

S. 2216. An act granting an increase of pension to Charles Reed—to the Committee on Invalid Pensions.

S. 153. An act granting an increase of pension to William W. Turk—to the Committee on Invalid Pensions.

S. 156. An act granting an increase of pension to Harriet L. Ford—to the Committee on Invalid Pensions.

S. 2217. An act granting an increase of pension to Henry C. Riggs—to the Committee on Invalid Pensions.

S. 893. An act granting an increase of pension to William W. Angelo—to the Committee on Invalid Pensions.

S. 968. An act to grant an honorable discharge from the military service to Robert C. Gregg—to the Committee on Military Affairs.

S. 446. An act granting an honorable discharge to William S. Dunn—to the Committee on Military Affairs.

S. 2999. An act granting an increase of pension to Melvina C. Buzzell—to the Committee on Military Affairs.

S. 1678. An act granting an increase of pension to Rudolph Reinhart—to the Committee on Invalid Pensions.

S. 900. An act granting an increase of pension to Daniel M. Smith—to the Committee on Invalid Pensions.

S. 2429. An act granting an increase of pension to John Dow—to the Committee on Invalid Pensions.

S. 59. An act for the relief of Charles W. Howard—to the Committee on Military Affairs.

S. 54. An act for the relief of William B. Barnes—to the Committee on Military Affairs.

S. 57. An act for the relief of Laura S. Gillingwaters—to the Committee on Military Affairs.

S. 58. An act for the relief of James W. Howell—to the Committee on Military Affairs.

S. 62. An act for the relief of Richard C. Silence—to the Committee on Military Affairs.

S. 63. An act for the relief of Charles Stierlin—to the Committee on Military Affairs.

S. 60. An act for the relief of Gottlieb C. Rose—to the Committee on Military Affairs.

S. 64. An act to correct the military record of William B. Thompson—to the Committee on Military Affairs.

S. 746. An act to remove the charge of desertion from the military record of Charles K. Bolster—to the Committee on Military Affairs.

S. 970. An act to authorize the President to revoke the order dismissing William T. Godwin, late first lieutenant, Tenth Infantry, United States Army, and to place the said William T. Godwin on the retired list with the rank of first lieutenant—to the Committee on Military Affairs.

S. 2870. An act granting an honorable discharge to John W. Tiffany—to the Committee on Military Affairs.

S. 2995. An act granting an increase of pension to Edwin B. Lufkin—to the Committee on Pensions.

S. 1842. An act to provide for compensation for certain employees of the Treasury, War, and Navy Departments—to the Committee on War Claims.

S. 820. An act to provide for the construction of a memorial bridge across the Potomac River from Washington to the Arlington estate property—to the Committee on Interstate and Foreign Commerce.

ALASKA SALMON COMMISSION.

The SPEAKER laid before the House the following message from the President of the United States:

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of Commerce and Labor submitting a preliminary report of the Alaska Salmon Commission, appointed in accordance with the instructions in my letter of November 8, 1902.

THEODORE ROOSEVELT.

WHITE HOUSE, January 27, 1904.

The message and accompanying documents were ordered to be printed, and referred to the Committee on the Merchant Marine and Fisheries.

SIOUX INDIANS IN SOUTH DAKOTA.

Mr. BURKE. Mr. Speaker, I ask unanimous consent that upon the disposition of the bill now before the House, namely, the urgent deficiency bill, the bill (H. R. 10418) to ratify and amend an agreement with the Sioux Indians of the Rosebud Reservation, in South Dakota, be made the special order and that it continue to be the special order until disposed of, this order not to interfere with revenue or appropriation bills, or bills upon the Private Calendar, or with any business that is privileged under the rules, and that the bill be considered in the House.

Mr. WILLIAMS of Mississippi. This, I understand, is a bill to open up the reservation in South Dakota.

Mr. BURKE. It is.

The SPEAKER. The gentleman from South Dakota asks unanimous consent that the bill H. R. 10418 be considered in the House immediately after the completion of the urgent deficiency

bill, and to remain a continuing order, not to interfere with revenue or appropriation bills, the Private Calendar, private business, or other privileged matters. Is there objection? [After a pause.] The Chair hears none.

ASSISTANT CLERKS TO THE COMMITTEE ON ENROLLED BILLS.

Mr. GRAFF. Mr. Speaker, I offer the following privileged report.

The SPEAKER. The Clerk will report it.
The Clerk read as follows:

House resolution 141.

Resolved, That the chairman of the Committee on Enrolled Bills be, and he is hereby, authorized to appoint an assistant clerk to said committee, who shall be paid out of the contingent fund of the House at the rate of \$6 per day during the remainder of the present session.

The amendments recommended by the committee were read, as follows:

In lines 2 and 3 strike out the words "an assistant clerk" and insert the words "two assistant clerks."

In line 5, after the word "day," insert the word "each."

Mr. GRAFF. Mr. Speaker, I will say by way of explanation of this resolution that it was considered in our committee this morning, and that the resolution is to authorize the employment of these clerks during the balance of the present session only, and it does not continue them at the next session of the present term. These two clerks were shown to the committee to be needed for facilitating the business in the House. It was found that the enrolled bills are being delayed, and there was considerable complaint on the part of the Senate regarding the matter. It is for these reasons solely that these additional clerks are required—purely and solely for the purpose of facilitating the business of the House. It is the custom of the House at the long session to employ additional clerks for this work from time to time, as the work grows greater and as the session advances.

Mr. WILLIAMS of Mississippi. What committee is that?

Mr. GRAFF. The Committee on Enrolled Bills.

Mr. BARTLETT. Do I understand the gentleman to say that it was considered this morning in the committee?

Mr. GRAFF. Yes, sir.

Mr. BARTLETT. I had no notice of any meeting to-day.

Mr. GRAFF. I will say that the meeting of the committee was called, and that a page was sent around, and it was supposed that he saw all the members of the committee that it was possible for him to see, and if he did not notify the gentleman, it was because he was not accessible at that time.

Mr. BARTLETT. I was accessible at all times after the House met. I had no notice that the committee was to meet.

Mr. LIVINGSTON. Were any of the minority members of the committee present?

Mr. GRAFF. Yes, sir.

Mr. LIVINGSTON. This is reported unanimously?

Mr. GRAFF. Yes, sir. Mr. EMERICH of Illinois was present.

Mr. BARTLETT. I want to say this: The committee was to meet on yesterday, and I was present at the time the committee was called to meet and there was no one there. The chairman of the committee was unwell or sick.

Mr. GRAFF. That was true.

Mr. BARTLETT. I inquired whether there would be a committee meeting to-day, or any regular time, and I was informed by the clerk there would be none. I received no notice of this meeting, and therefore I am unable to give the House, so far as I am concerned, any information about the resolution.

Mr. GRAFF. I will say to the gentleman that I had the same experience yesterday. I had received a written notice of a meeting on yesterday, and I was then informed that the chairman was sick, and afterwards, this morning, I received notice of the meeting of the committee orally.

Mr. BARTLETT. I received no such notice myself, and was not present for that reason.

Mr. GRAFF. I understand it was before the gentleman came to the Capitol this morning.

Mr. GAINES of Tennessee. What is it, Mr. Speaker?

The SPEAKER. The question is on agreeing to the amendments.

Mr. GAINES of Tennessee. I would like to ask the gentleman what it is?

Mr. GRAFF. The resolution is to authorize two assistant clerks for the Committee on Enrolled Bills, for the purpose of facilitating the business of the House. The committee took the matter up for the reason that there was an immediate exigency for the employment of these people.

Mr. GAINES of Tennessee. How many people?

Mr. GRAFF. Two.

Mr. GAINES of Tennessee. For whom—for what committee?

Mr. GRAFF. Assistant clerks to the Committee on Enrolled Bills.

The SPEAKER. The question is on agreeing to the amendments.

The question was taken; and the amendments were agreed to. The resolution as amended was agreed to.

BRIDGE ACROSS TOMBIGBEE RIVER BETWEEN CLARKE AND CHOCTAW COUNTIES, ALA.

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent for the present consideration of two bridge bills.

The Clerk read as follows:

A bill (H. R. 7287) to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Tombigbee River between the counties of Clarke and Choctaw, Ala., in section 7, township 9, range 1 west of St. Stephens meridian.

The bill was read at length.

The amendments recommended by the committee were read.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

BRIDGE ACROSS WARRIOR RIVER IN TUSCALOOSA COUNTY, ALA.

Mr. TAYLOR. Mr. Speaker, I have another bill similar to that on the Tombigbee.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 7288) to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Warrior River in Tuscaloosa County, Ala., in section 3, township 21 south, range 9 west of Huntsville meridian.

The bill was read at length.

The amendments recommended by the committee were read, and agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was read the third time, and passed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. MILLER, indefinitely, on account of important business.

CHANGE OF REFERENCE.

By unanimous consent, the Committee on Military Affairs was discharged from the further consideration of the bill (H. R. 8038) to provide for the improvement in breeding of horses for general-purpose uses, and to enable the United States to procure better remounts for the cavalry and artillery service, and the same was referred to the Committee on Agriculture.

Mr. HEMENWAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 33 minutes p. m.) the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Attorney-General, transmitting, in response to the inquiry of the House, a statement as to the horses and carriages maintained at public expense for use of officials in his Department—to the Committee on Naval Affairs, and ordered to be printed.

A letter from the Secretary of the Navy, submitting a report of the cost of the battle ships *Connecticut* and *Louisiana* to September 30, 1903—to the Committee on Naval Affairs, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting a report from the Commissioner of Indian Affairs in relation to purchases during the fiscal year ended June 30, 1903, made in open market and otherwise, for necessities for Indians—to the Committee on Expenditures in the Interior Department, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Commissioners of the District of Columbia submitting an estimate of appropriation for public schools—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, public bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. LACEY, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 1344) to quiet certain land titles in the State of Mississippi, reported the same without amendment, accompanied by a report (No. 599); which said bill and report were referred to the House Calendar.

Mr. LITTLE, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 10186) authorizing bail in criminal cases upon appeal in the courts of Indian Territory, reported the same with amendment, accompanied by a report (No. 600); which said bill and report were referred to the House Calendar.

Mr. HENRY of Texas, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 19) establishing a United States court at Marietta, Ind. T., reported the same without amendment, accompanied by report (No. 603); which said bill and report were referred to the House Calendar.

Mr. JENKINS, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 8699) to amend section 5409 of the Revised Statutes of the United States, reported the same without amendment, accompanied by a report (No. 604); which said bill and report were referred to the House Calendar.

Mr. VOLSTEAD, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 1558) to grant to the State of Minnesota certain vacant lands in said State for forestry purposes, reported the same without amendment, accompanied by a report (No. 605); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. GIBSON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3895) for the relief of the trustees of the Presbyterian Church of Straw Plains, Tenn., reported the same with amendment, accompanied by a report (No. 560); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5603) granting an increase of pension to William C. McCormick, reported the same with amendment, accompanied by a report (No. 561); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9064) granting an increase of pension to Edwin Tidd, reported the same with amendment, accompanied by a report (No. 562); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7444) granting a pension to Washington Dutcher, reported the same with amendment, accompanied by a report (No. 563); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 8231) granting an increase of pension to John Gangwisch, reported the same without amendment, accompanied by a report (No. 564); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7737) granting an increase of pension to Howard McGuire, reported the same with amendment, accompanied by a report (No. 565); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2544) granting an increase of pension to Albert T. Severance, reported the same without amendment, accompanied by a report (No. 566); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7992) granting a pension to Isadore F. Chamberlin, reported the same with amendment, accompanied by a report (No. 567); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to

which was referred the bill of the House (H. R. 7805) granting an increase of pension to William N. Hall, reported the same with amendment, accompanied by a report (No. 568); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7083) granting an increase of pension to Albert P. Jackson, reported the same with amendment, accompanied by a report (No. 569); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8124) granting a pension to Elizabeth Hatfield, reported the same with amendment, accompanied by a report (No. 570); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8733) granting an increase of pension to Benjamin F. McGraw, reported the same with amendment, accompanied by a report (No. 571); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7063) granting a pension to Ellen F. Lynch, reported the same with amendment, accompanied by a report (No. 572); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4179) granting an increase of pension to Martha C. Kuhn, reported the same with amendment, accompanied by a report (No. 573); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5149) granting an increase of pension to John W. Erwin, reported the same without amendment, accompanied by a report (No. 574); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4119) granting an increase of pension to William Mercer, reported the same with amendment, accompanied by a report (No. 575); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4466) granting a pension to William R. Burton, reported the same with amendment, accompanied by a report (No. 576); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 6038) granting an increase of pension to Benjamin George, reported the same without amendment, accompanied by a report (No. 577); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3670) granting an increase of pension to Benjamin F. Barrett, reported the same with amendment, accompanied by a report (No. 578); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5479) granting an increase of pension to William H. Anderson, reported the same with amendment, accompanied by a report (No. 579); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4391) granting an increase of pension to Nicholas Schwemler, reported the same with amendment, accompanied by a report (No. 580); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5868) granting an increase of pension to William Simmons, reported the same with amendment, accompanied by a report (No. 581); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3027) granting an increase of pension to William H. Vickers, reported the same without amendment, accompanied by a report (No. 582); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4642) granting an increase of pension to William L. Wheeler, reported the same without amendment, accompanied by a report (No. 583); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4702) granting an increase of pension to John T. Collins, reported the same

with amendment, accompanied by a report (No. 584); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4314) granting an increase of pension to J. F. Slade, reported the same with amendment, accompanied by a report (No. 585); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5006) granting a pension to Sarah Ulshafer, reported the same with amendment, accompanied by a report (No. 586); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 789) granting an increase of pension to Eli Lachman, reported the same with amendment, accompanied by a report (No. 587); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1287) granting an increase of pension to Cyrus B. Dopp, reported the same with amendment, accompanied by a report (No. 588); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9778) granting a pension to Lauriston W. Adkins, reported the same with amendment, accompanied by a report (No. 589); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9835) to pension Maggie E. Fitzpatrick, reported the same with amendment, accompanied by a report (No. 590); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10706) granting an increase of pension to Alfred J. West, reported the same with amendment, accompanied by a report (No. 591); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 788) granting an increase of pension to Nicholas Reinhart, reported the same with amendment, accompanied by a report (No. 592); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2572) granting an increase of pension to George W. Steffey, reported the same with amendment, accompanied by a report (No. 593); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9421) granting an increase of pension to Thomas P. Marshall, reported the same with amendment, accompanied by a report (No. 594); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9695) granting an increase of pension to Frank M. Spears, reported the same with amendment, accompanied by a report (No. 595); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10192) granting a pension to Martha Mullins, reported the same without amendment, accompanied by a report (No. 596); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8022) granting an increase of pension to Hiram Flint, reported the same with amendment, accompanied by a report (No. 597); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2416) granting an increase of pension to Mary Joanna Adams, reported the same without amendment, accompanied by a report (No. 598); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2, Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. HEMENWAY, from the Committee on Appropriations, to which was referred the House resolution (H. Res. 160) concerning disbursements on account of flying-machine experiments and constructions, reported the same, accompanied by an adverse report (No. 602); which said resolution and report were ordered to lie on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 5822) granting an increase of pension to Eveline V. Ferguson—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6056) granting an increase of pension to Blanche L. Chunn—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6756) granting a pension to John Hughes—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7411) granting an increase of pension to Matthew Caldwell—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9735) granting an increase of pension to Harry Bachrach—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9313) to pay all Federal soldiers honorably discharged \$3 per day while confined in Confederate military prisons thirty days or more—Committee on War Claims discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 5682) granting an increase of pension to Charles B. Hunt—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. SULLOWAY: A bill (H. R. 11199) granting pensions to certain soldiers and sailors who served in the war of the rebellion and their widows—to the Committee on Invalid Pensions.

By Mr. DRAPER: A bill (H. R. 11200) to provide for the retirement of enlisted men of the Marine Corps and Army—to the Committee on Naval Affairs.

By Mr. BEDE: A bill (H. R. 11201) to provide for the purchase of an additional site for the enlargement of the Federal building at Duluth, in the State of Minnesota—to the Committee on Public Buildings and Grounds.

By Mr. STEPHENS of Texas: A bill (H. R. 11202) to remove restrictions on the sale of certain lands in the Creek Nation, Ind. T., to be used for town-site purposes—to the Committee on Indian Affairs.

By Mr. HILL of Connecticut: A bill (H. R. 11203) authorizing the Secretary of the Navy, in his discretion, to contract for submarine boats at a cost not to exceed \$1,000,000—to the Committee on Naval Affairs.

By Mr. DRESSER: A bill (H. R. 11204) to ratify and confirm a lease made by the Seneca Nation of New York Indians to John Quilter—to the Committee on Indian Affairs.

By Mr. STEPHENS of Texas: A bill (H. R. 11205) to establish probate courts in the Indian Territory, and for other purposes—to the Committee on the Judiciary.

By Mr. SCUDDER: A bill (H. R. 11206) to provide for the improvement of certain waterways on the north side of Long Island, in the State of New York, opening into Long Island Sound—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 11207) to provide for the improvement of certain waterways in New York State on the southern shore and the eastern end of Long Island—to the Committee on Rivers and Harbors.

By Mr. SMITH of New York: A bill (H. R. 11208) for the erection of a public building at Oneonta, N. Y.—to the Committee on Public Buildings and Grounds.

By Mr. POWERS of Massachusetts: A bill (H. R. 11209) to repeal the act providing for the sale of timber and stone lands, the desert-land act, and the commutation provision of the homestead act—to the Committee on the Public Lands.

By Mr. SMITH of New York: A bill (H. R. 11210) to increase the limit of cost of the United States post-office at Kingston, N. Y.—to the Committee on Public Buildings and Grounds.

By Mr. SPARKMAN: A bill (H. R. 11211) providing for the marking and the protection of the battlefield known as "Dade's massacre," in Sumter County, Fla., and for the erection of a monument thereon—to the Committee on Military Affairs.

By Mr. BELL of California: A bill (H. R. 11212) amending section 4747 of the Revised Statutes of the United States—to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R. 11213) to extend the privilege of immediate transportation of dutiable merchandise to various

subports in the customs collection district of Puget Sound, and for other purposes—to the Committee on Ways and Means.

By Mr. RUSSELL: A bill (H. R. 11214) to amend and construe existing pension laws—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 11215) to ratify and amend an agreement with the Indians located upon the Grande Ronde Reservation, in the State of Oregon, and to make an appropriation to carry the same into effect—to the Committee on Indian Affairs.

By Mr. LITTLEFIELD: A joint resolution (H. J. Res. 90) for the erection of a monument to the memory of Dorothea Lynde Dix—to the Committee on the Library.

By Mr. RUSSELL: A joint resolution (H. J. Res. 91) proposing an amendment to the Constitution of the United States providing that Congress shall not be permitted to pass any private bill where general laws relating to the same subject-matter are then in force—to the Committee on the Judiciary.

Also, a joint resolution (H. J. Res. 92) proposing an amendment to the Constitution of the United States prescribing the judicial power to be exercised by courts of the United States in certain cases—to the Committee on the Judiciary.

Also, a joint resolution (H. J. Res. 93) proposing an amendment to the Constitution of the United States providing for the election of certain judges of the United States courts and district attorneys by the people of the several States, and for the tenure of office of certain judges—to the Committee on the Judiciary.

By Mr. SPARKMAN: A concurrent resolution (H. C. Res. 36) authorizing and directing the Secretary of War to cause a survey to be made of Charlotte Harbor—to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 11216) to correct the military record of Joshua L. Sawyer—to the Committee on Military Affairs.

By Mr. BADGER: A bill (H. R. 11217) appropriating \$550 to pay for medical services rendered to Thomas Finley while arresting two United States Army deserters—to the Committee on Appropriations.

By Mr. BEDE: A bill (H. R. 11218) setting aside a certain island in Bartlett Lake, Minnesota, as a park and forest reserve—to the Committee on the Public Lands.

By Mr. BROWNLOW: A bill (H. R. 11219) for the relief of Joseph McGuigan—to the Committee on Invalid Pensions.

By Mr. DAVIS of Florida: A bill (H. R. 11220) granting an increase of pension to P. McCort—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11221) granting an increase of pension to William H. Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11222) granting an increase of pension to Orville E. Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11223) granting an increase of pension to Joseph H. Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11224) to remove the charge of desertion from the record of James E. Dickerson and grant him an honorable discharge—to the Committee on Military Affairs.

By Mr. DAYTON: A bill (H. R. 11225) granting a pension to George W. Webb—to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 11226) granting a pension to Socrates Moore—to the Committee on Invalid Pensions.

By Mr. GARDNER of Massachusetts: A bill (H. R. 11227) granting an increase of pension to George W. Walls—to the Committee on Invalid Pensions.

By Mr. HASKINS: A bill (H. R. 11228) granting an increase of pension to Edson K. Chapell—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 11229) granting a pension to Francis M. Good—to the Committee on Pensions.

By Mr. HILDEBRANT: A bill (H. R. 11230) granting an increase of pension to Levi Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11231) granting a pension to Samuel Kincaid—to the Committee on Invalid Pensions.

By Mr. JACKSON of Maryland: A bill (H. R. 11232) granting a pension to Josiah B. Ross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11233) for the relief of Benjamin T. Hooper and Marcellus Aaron—to the Committee on Claims.

By Mr. LAFEAN: A bill (H. R. 11234) granting an increase of pension to Frederick Shanabrough—to the Committee on Invalid Pensions.

By Mr. MACON: A bill (H. R. 11235) for the relief of Clarissa E. McCormick—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 11236) granting an increase of pension to George Winger—to the Committee on Invalid Pensions.

By Mr. MOON of Pennsylvania: A bill (H. R. 11237) granting an increase of pension to Robert W. Keen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11238) granting an increase of pension to Julius C. Aitken—to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 11239) granting an increase of pension to Ezra W. Merrill—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 11240) to pay claim of Samuel O. Randall, administrator of the personal estate of Richard Ralph Randall, deceased—to the Committee on Claims.

By Mr. NORRIS: A bill (H. R. 11241) granting a pension to Myrtle Lee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11242) granting a medal to George W. Churchill—to the Committee on Military Affairs.

By Mr. POWERS of Massachusetts: A bill (H. R. 11243) granting a pension to Laura S. Ware—to the Committee on Invalid Pensions.

By Mr. RODENBERG: A bill (H. R. 11244) to remove the findings of a court-martial by which Charles Held was discharged from the military service of the United States—to the Committee on Military Affairs.

By Mr. REEDER: A bill (H. R. 11245) granting an increase of pension to William H. Mize—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11246) granting a pension to S. A. Burges—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11247) granting an increase of pension to William Gilmore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11248) granting an increase of pension to Samuel Likins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11249) granting an increase of pension to Simeon D. Chelf—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11250) granting an increase of pension to J. W. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11251) granting an increase of pension to David Essick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11252) granting an increase of pension to Archie P. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11253) granting an increase of pension to Joel F. Terry—to the Committee on Invalid Pensions.

By Mr. SHERLEY: A bill (H. R. 11254) for the relief of Anthony McAndrews—to the Committee on Claims.

By Mr. SLEMP: A bill (H. R. 11255) granting an increase of pension to Catherine L. Benteen—to the Committee on Invalid Pensions.

By Mr. SMALL: A bill (H. R. 11256) for the relief of the estate of D. L. Pritchard, deceased, late of Camden County, N. C.—to the Committee on War Claims.

By Mr. SMITH of Iowa: A bill (H. R. 11257) granting an increase of pension to Andrew H. Hazlett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11258) granting an increase of pension to James L. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11259) granting a pension to George W. Stennett—to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 11260) granting a pension to Alberti Ross—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: A bill (H. R. 11261) to authorize the Secretary of War to correct the military record of I. N. Nance—to the Committee on Military Affairs.

By Mr. SULLIVAN of Massachusetts: A bill (H. R. 11262) granting a pension to John Hegarty—to the Committee on Invalid Pensions.

By Mr. TOWNSEND: A bill (H. R. 11263) for the relief of the heirs of John Smith, deceased—to the Committee on War Claims.

Also, a bill (H. R. 11264) for the relief of James L. Carpenter—to the Committee on War Claims.

Also, a bill (H. R. 11265) granting an increase of pension to Wilder D. Easlick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11266) granting a pension to Jane Van Wey—to the Committee on Invalid Pensions.

By Mr. WACHTER: A bill (H. R. 11267) for the relief of the legal representatives of William P. Custis—to the Committee on War Claims.

By Mr. WYNN: A bill (H. R. 11268) to reimburse the city and county of San Francisco, State of California, for money paid by said city and county to Adolph L. Rehfeld upon a judgment recovered by him against said city and county for damages to his

property inflicted by soldiers of the United States Army—to the Committee on Claims.

Also, a bill (H. R. 11269) granting a pension to Frank Klein—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of Antietam Post, No. 64, Grand Army of the Republic, of Parsons, Kans., praying for national aid for a cemetery for interment of former soldiers—to the Committee on Military Affairs.

Also, memorial of National Convocation of Prayer convened at Baltimore, in favor of legislation to prevent nullification of State liquor laws—to the Committee on the Judiciary.

Also, memorial of Williams Post, No. 25, Grand Army of the Republic, Watseka, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. ADAMS of Pennsylvania: Resolution of George G. Meade Post, No. 1, Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BARTHOLOMT: Petition of Tower Grove Lodge, No. 429, of St. Louis, Mo., Brotherhood of Railroad Trainmen, in favor of bills H. R. 7041 and 89—to the Committee on the Judiciary.

Also, petition of the Anheuser-Busch Brewing Association, in favor of the bill providing for bonds in appealed criminal cases in Indian Territory—to the Committee on the Judiciary.

Also, petition of Typographical Union No. 80, of Kansas City, Mo., in favor of an eight-hour law and anti-injunction bill—to the Committee on Labor.

Also, petition of Missouri State Federation of Labor, in favor of an eight-hour law—to the Committee on Labor.

By Mr. BUTLER of Pennsylvania: Resolutions of Lieutenant Josiah White Post, No. 45; Brandywine Post, No. 54, and Post No. 255, Grand Army of the Republic, Department of Pennsylvania, in favor of service-pension bill—to the Committee on Invalid Pensions.

Also, petition of East Whiteland Presbyterian Church, of Frazer, Pa., for closing Lewis and Clark Exposition on Sunday—to the Committee on Industrial Arts and Expositions.

By Mr. CLARK: Petition of C. B. Faulconer and 64 others, of Montgomery City, Mo., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. COOPER of Pennsylvania: Resolution of William T. Campbell Post, No. 375, Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. CURTIS: Papers to accompany bill H. R. 5880, granting a pension to Dennis Dunn—to the Committee on Invalid Pensions.

By Mr. DALZELL: Resolutions of Farragut Post, No. 602, Chicago, Ill., and Major W. G. Lowry Post, No. 548, Department of Pennsylvania, Grand Army of the Republic, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. DANIELS: Resolution of the Manufacturers and Producers' Association of California, relative to the American merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the Manufacturers and Producers' Association of California, relative to the metric system of weights and measures—to the Committee on Coinage, Weights, and Measures.

Also, resolution of the Manufacturers and Producers' Association of California, relative to the reorganization of the consular service—to the Committee on Foreign Affairs.

Also, resolution of the Board of Trade of Kern County, Cal., relative to a trail up Mount Whitney—to the Committee on Military Affairs.

By Mr. DAYTON: Paper to accompany bill granting a pension to George W. Webb—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Papers to accompany bill H. R. 11153, for the relief of Mary Leary—to the Committee on Claims.

By Mr. FRENCH: Resolution of E. D. Baker Post, No. 6, Grand Army of the Republic, of Hailey, Idaho, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. FULLER: Resolution of McCulloch Post, No. 475, Grand Army of the Republic, of Earlville, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of Retail Merchants' Association of Ottawa, Ill., in favor of passage of McCumber-Hepburn pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Chamber of Commerce of Quincy, Ill.,

in favor of the reorganization of the consular service—to the Committee on Foreign Affairs.

By Mr. GOLDFOGLE: Petition of Joseph Loth & Co., of New York, in favor of the passage of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, resolution of the Merchants and Manufacturers' Association of Baltimore, relative to the improvement of the main ship channel—to the Committee on Rivers and Harbors.

By Mr. GOULDEN: Letters of Gas Engine and Power Company and Charles L. Seaburg & Co., in opposition to bill H. R. 7033—to the Committee on the Merchant Marine and Fisheries.

By Mr. HERMANN: Resolution of the National Good Roads Association, relative to the Lewis and Clark Exposition—to the Committee on Industrial Arts and Expositions.

By Mr. HILL of Connecticut: Petition of the Lake Torpedo Boat Company, relative to the construction of submarine boats—to the Committee on Naval Affairs.

By Mr. HUGHES of New Jersey: Petition of Soldiers' Patriotic Alliance of the United States, in favor of establishing a museum of war at Washington, D. C.—to the Committee on Public Buildings and Grounds.

By Mr. WILLIAM W. KITCHIN: Petition of R. A. Wommack and 29 others, of Winston-Salem, N. C., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of residents of Winston-Salem, N. C., relative to the interstate liquor traffic—to the Committee on the Judiciary.

By Mr. KLINE: Resolution of E. B. Young Post, No. 87, Department of Pennsylvania, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the Cigar Makers' Union, No. 236, of Reading, Pa., favoring the passage of bill H. R. 6, relative to amending section 3394 of the Revised Statutes, relating to tobacco—to the Committee on Ways and Means.

By Mr. LACEY: Resolution of the Everett Chamber of Commerce, in favor of an appropriation for Tulalip Reservation—to the Committee on Indian Affairs.

Also, resolution of Farragut Post, No. 602, Grand Army of the Republic, Chicago, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LAFEAN: Resolutions of Major Jenkins Post, No. 99, of Hanover; Corporal Skelly Post, No. 9, of Gettysburg, and General John Sedgwick Post, No. 37, of York, Pa., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LITTLE: Papers to accompany claim of Edward C. Brogan, administrator—to the Committee on War Claims.

By Mr. LITTLEFIELD: Petition of the Christian Civic League of Farmington, Me., for the passage of a bill to prevent nullification of State liquor laws—to the Committee on the Judiciary.

Also, petitions of the Christian Civic League of Farmington, Me., for the passage of a bill to forbid the sale of intoxicating liquors in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of Prof. Harold S. Boardman and other officers of the University of Maine, for protection of the California big trees—to the Committee on the Public Lands.

Also, petitions of Frank O. Marten and others, in favor of the McCumber and Hepburn-Dolliver bills, and of citizens of Craftonville, Cal., in favor of Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolutions of the National Society, Daughters of the American Revolution, of Milwaukee, Wis., in favor of bill H. R. 4699, to prevent the desecration of the national flag—to the Committee on the Judiciary.

Also, resolutions of Pueblo (Colo.) Citizens' Alliance, favoring the passage of bills H. R. 89 and 8136—to the Committee on the Judiciary.

By Mr. LIVINGSTON: Petition of Commissioners of Pilotage and Chamber of Commerce of Savannah, Ga., against passage of bill S. 2260—to the Committee on Interstate and Foreign Commerce.

By Mr. LOUDENSLAGER: Resolutions of Enterprise Harbor, No. 2, A. A. of M. and P. of S. B., relative to maintaining entrance to harbor of refuge at Cape May, N. J.—to the Committee on Rivers and Harbors.

By Mr. McCLEARY of Minnesota: Resolutions of Alexander Wilkins Post, No. 9, of Mankato, Minn., and James Clabaugh Post, No. 54, of Winnebago City, Minn., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. NEEDHAM: Resolutions of the Manufacturers and Producers' Association of California, relative to the reorganization of the consular service—to the Committee on Foreign Affairs.

Also, resolution of the Manufacturers and Producers' Associa-

tion of California, relative to the merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of Manufacturers and Producers' Association of California, relative to the metric system—to the Committee on Coinage, Weights, and Measures.

By Mr. NEVIN: Resolutions of Caleb Marker Post, No. 646, of New Paris, Ohio; Al. Mason Post, No. 598, of Miamisburg, Ohio; Hiram Strong Post, No. 79, of Dayton, Ohio; Harrison Whight Post, No. 497, of Gratis, Ohio; Reese Mitchell Post, No. 361, of Camden, Ohio; Veteran Post No. 5, of National Military Home, Ohio; Wetzel-Compton Post, No. 96, of Hamilton, Ohio; Duster Post, No. 446, of Dayton, Ohio, and The Old Guard Post, No. 23, of Dayton, Ohio, Grand Army of the Republic, in favor of the passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. PORTER: Papers to accompany bill H. R. 10925, directing the issue of a check in lieu of lost check drawn in favor of the Pittsburgh Shear, Knife, and Machine Company—to the Committee on Claims.

By Mr. ROBINSON of Indiana: Petition of La Due & Carmer, of Auburn, Ind., in favor of increasing powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN: Resolution of the Buffalo Lumber Exchange, in favor of enlarging powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. WM. ALDEN SMITH: Resolution of Champlain Post, No. 29, Grand Army of the Republic, Department of Michigan, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. WACHTER: Petitions of John C. Thomas and 30 others, Rev. C. T. House and 16 others, William E. Curley and 24 others, H. C. Risner and 20 others, John W. Dorsey and 20 others, and Delmer W. Lander and 20 others, all of Baltimore, Md., in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of the Providence (R. I.) Chamber of Commerce, relative to the completion of the Point Judith harbor of refuge—to the Committee on Rivers and Harbors.

By Mr. WILLIAMS of Illinois: Resolutions of James Mayes Post, No. 480, of Mount Erie, Ill., and Z. B. Lee Post, No. 692, of Orchardville, Ill., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. WOODYARD: Petition of J. B. McGregor and 37 others, of Pennsboro, W. Va., in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

SENATE.

THURSDAY, January 28, 1904.

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BURROWS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

JUDGMENTS IN INDIAN DEPREDAATION CASES.

The PRESIDENT pro tempore laid before the Senate a communication from the Attorney-General, transmitting, in response to a resolution of the 25th instant, a list of all judgments rendered by the Court of Claims in Indian depredation cases since December 5, 1903; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

INTERNATIONAL CONGRESS OF HYGIENE AND DEMOGRAPHY.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, requesting authority to extend to the Twelfth International Congress of Hygiene and Demography a formal invitation to hold the thirteenth congress at the city of Washington in 1909; which, with the accompanying papers, was referred to the Committee on Foreign Relations, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 7287) to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Tombigbee River between the counties of Clarke and Choctaw, Ala., in section 7, township 9, range 1 west of St. Stephen's meridian; and

A bill (H. R. 7288) to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Black Warrior River, in Tuscaloosa County, Ala., in section 3, township 21 south, range 9 west of Huntsville meridian.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented petitions of R. B. Hays Post, No. 120, of Plano; of Veteran Post, No. 49, of Elgin; of Streator Post, No. 68, of Streator, and of General W. B. Hazen Post, No. 7, of Chicago, all of the Department of Illinois, Grand Army of the Republic, in the State of Illinois, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. HANSBROUGH presented a memorial of sundry citizens of North Dakota, remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. PENROSE presented a memorial of sundry citizens of Reading, Pa., remonstrating against the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a memorial of sundry citizens of Reading, Pa., remonstrating against the passage of the so-called anti-injunction bill; which was referred to the Committee on the Judiciary.

He also presented a petition of the Board of Trade of Philadelphia, Pa., praying for the ratification of the treaty between the United States and the Republic of Panama; which was referred to the Committee on Foreign Relations.

He also presented petitions of Colonel Ulric Dahlgren Post, No. 14, of Philadelphia; of Lieutenant William A. Bruner Post, No. 335, of Sunbury; of Perkins Post, No. 202, of Athens; of Post No. 145, of Richland Center; of Post No. 114, of Philadelphia; of Brandywine Post, No. 54, of Coatesville; of George Smith Post, No. 79, of Conshohocken; of Lieutenant James M. Lysle Post, No. 123, of Allegheny; of Robert Oldham Post, No. 527, of South Bethlehem; of General D. B. Birney Post, No. 63, of Philadelphia; of Lafayette Post, No. 217, of Easton; of General Phil Kearney Post, No. 55, of Philadelphia; of Colonel James Cameron Post, No. 185, of Dalmatia; of Larimer Post, No. 179, of Clearfield, and of Hiram Warner Post, No. 594, of Wilcox, all of the Department of Pennsylvania, Grand Army of the Republic, in the State of Pennsylvania, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of Jacob Maynard Post, No. 377, of Mehoopany; of Captain John Whitney Post, No. 368, of Laceyville; of J. W. Reynolds Post, No. 98, of Tunkhannock; of Captain E. J. Rice Post, No. 211, of Factoryville, and of Captain Rufus Freas Post, No. 323, of Beaumont, all of the Department of Pennsylvania, Grand Army of the Republic, in the State of Pennsylvania, praying for the enactment of legislation granting pensions to certain officers and men in the Army and Navy of the United States when 50 years of age and over, and increasing widows' pensions to \$12 per month; which were referred to the Committee on Pensions.

Mr. DOLLIVER presented petitions of the Hawthorne Club, of Wyoming; of the Ladies' Missionary Society of Wyoming, and of the Home Missionary Society of Wyoming, all in the State of Iowa, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of Lenox Post, No. 316, of Lenox; of Richmond Post, No. 230, of Richmond; of Pitzer Post, No. 55, of Winterset; of Mulligan Post, No. 102, of Sheffield; of J. C. Sumners Post, No. 296, of Shellsburg; of S. S. Dillman Post, No. 343, of Toledo; of Captain Alex Dowd Post, No. 375, of Iowa; of Rice Post, No. 283, of Conway; of Weldon Post, No. 426, of Weldon; of Eaton Post, No. 86, of Woodbine; of Colonel Mills Post, No. 45, of Adel; of Maxwell Post, No. 14, of Stuart; of Charles Payne Post, No. 141, of Iowa Falls; of Robert F. Lowe Post, No. 167, of Sigourney; of Post No. 367, of Fairbank; of A. M. Taylor Post, No. 153, of Wapello; of John B. Hancox Post, No. 314, of Belle Plaine; of Albert Winchels Post, No. 327, of Lyons, and of P. M. Corder Post, No. 98, of Vinton, all of the Department of Iowa, Grand Army of the Republic, in the State of Iowa, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. NELSON presented a petition of the Minnesota Society, Sons of the American Revolution, praying for the enactment of legislation to prevent the desecration of the American flag; which was referred to the Committee on Military Affairs.

He also presented a petition of George N. Morgan Post, No. 4, Department of Minnesota, Grand Army of the Republic, of Minneapolis, Minn., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. PROCTOR presented a petition of John T. Sennott Post, No. 12, Department of Vermont, Grand Army of the Republic, of West Rutland, Vt., and a petition of Jarvis Post, No. 43, De-